

1 STATE OF OKLAHOMA

2 1st Session of the 58th Legislature (2021)

3 SENATE BILL 528

By: Young

4
5
6 AS INTRODUCED

7 An Act relating to alcohol and drug substance abuse
8 courses; amending 43A O.S. 2011, Section 3-453, as
9 amended by Section 151, Chapter 304, O.S.L. 2012 (43A
10 O.S. Supp. 2020, Section 3-453), which relates to
11 authorized course providers; modifying allowable
12 fees; and providing an effective date.

12 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

13 SECTION 1. AMENDATORY 43A O.S. 2011, Section 3-453, as
14 amended by Section 151, Chapter 304, O.S.L. 2012 (43A O.S. Supp.
15 2020, Section 3-453), is amended to read as follows:

16 Section 3-453. A. Alcohol and drug substance abuse courses
17 shall be offered only by nonprofit educational institutions of
18 higher learning, governmental or nonprofit organizations.

19 B. Enrollment fees for those attending the courses shall be set
20 by the Department of Mental Health and Substance Abuse Services and
21 shall be within a range of not less than Sixty-five Dollars (\$65.00)
22 and not more than:

23 1. ~~One Hundred Fifty Dollars (\$150.00)~~ One Hundred Seventy-five
24 Dollars (\$175.00) for a ten-hour course; and

1 2. ~~Three Hundred Sixty Dollars (\$360.00)~~ Three Hundred Eighty-
2 five Dollars (\$385.00) for a twenty-four-hour course.

3 C. Ten percent (10%) of each fee collected shall be remitted by
4 the institution or organization offering alcohol and drug substance
5 abuse courses to the State Treasurer to be credited to the
6 Community-based Substance Abuse Revolving Fund in the State Treasury
7 and shall be used to provide substance abuse services to the
8 indigent or to provide specialized training to alcohol and drug
9 substance abuse course facilitators. Five percent (5%) of each fee
10 collected by the Department shall be used for the administrative
11 costs related to providing such services.

12 D. Enrollment in the course shall not be limited to persons
13 ordered to enroll, attend and successfully complete the course.

14 E. All alcohol and drug substance abuse courses related to
15 driver license revocation and course facilitators shall be approved
16 and certified by the Department of Mental Health and Substance Abuse
17 Services.

18 F. The Department of Mental Health and Substance Abuse Services
19 is authorized to promulgate rules governing:

- 20 1. Minimum curriculum requirements for such courses;
21 2. Facilities, equipment and instructional materials for such
22 courses;
23 3. Minimum qualifications for course facilitators;

1 4. Grounds for reprimand and for revocation, suspension or
2 nonrenewal of the authority to conduct such courses and for
3 revocation of a facilitator's certification;

4 5. Attendance requirements; and

5 6. Guidelines for certifying to the Department of Mental Health
6 and Substance Abuse Services and the Department of Public Safety
7 successful completion of such course.

8 G. The Department of Mental Health and Substance Abuse Services
9 shall require that each ten-hour course shall be conducted in no
10 less than three sessions of no more than three and one-half (3 1/2)
11 hours each on three (3) separate days. For a twenty-four-hour
12 course, the Department shall require that:

13 1. Each such course shall consist of at least twenty-four (24)
14 hours;

15 2. Each such course shall consist of no more than two (2) hours
16 of education on any given day, nor more than four (4) hours in a
17 given week, and shall not contain more than ten percent (10%) films
18 on any one specialized area; and

19 3. No more than twenty-four students shall be allowed in a
20 given class.

21 H. Any institution or organization authorized under this act to
22 conduct an alcohol and drug substance abuse course shall certify to
23 the Department of Public Safety all persons who successfully
24 complete such course.

1 I. Any person participating in a substance abuse treatment
2 program recommended as a result of an assessment pursuant to Section
3 3-460 of this title shall be required to pay all or part of the
4 actual cost incurred for treatment of the person, if the court
5 determines the person has the ability to pay for all or part of the
6 cost of treatment. The court shall determine the amount of
7 reimbursement the person shall pay.

8 J. Application fees for certification of course facilitators
9 shall be set by the Board of Mental Health and Substance Abuse
10 Services to defray the costs of administering the program and shall
11 be:

- 12 1. Not less than One Hundred Dollars (\$100.00) and not more
13 than Two Hundred Dollars (\$200.00) upon initial application; and
- 14 2. Not less than Twenty-five Dollars (\$25.00) and not more than
15 Fifty Dollars (\$50.00) upon annual renewal.

16 K. The Director of the Office of Management and Enterprise
17 Services shall transfer unobligated monies generated from the fees
18 in subsection C of this section, deposited before November 1, 2005,
19 from the Department of Mental Health and Substance Abuse Services
20 Revolving Fund to the Community-based Substance Abuse Revolving
21 Fund, in amounts calculated by the Department.

22 L. No alcohol or drug substance abuse course shall operate or
23 continue to operate unless it is operated in compliance with the
24

1 rules promulgated by the Board and is certified as required by this
2 section.

3 SECTION 2. This act shall become effective November 1, 2021.

4
5 58-1-991 BG 1/20/2021 12:05:20 PM
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25