

Senate Bill 606

Sponsored by Senator NELSON (at the request of Umatilla County Sheriff John Trumbo)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Requires adult public assistance applicant or recipient to take drug test. Requires Department of Human Services to refer to treatment any person with positive drug test results. Requires vendor payments of cash assistance while in treatment. Terminates cash assistance after three positive drug test results.

Terminates cash assistance to adults who knowingly provide lodging to persons terminated from cash assistance due to three positive drug test results.

A BILL FOR AN ACT

1
2 Relating to drug testing for public assistance.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1. Section 2 of this 2007 Act is added to and made a part of ORS chapter 411.**

5 **SECTION 2. (1) The Department of Human Services shall adopt rules to require each**
6 **applicant for or recipient of public assistance who is 18 years of age or older to submit to a**
7 **drug test as a condition of eligibility for cash assistance.**

8 **(2) If the drug test under subsection (1) of this section is positive for the presence of a**
9 **controlled substance:**

10 **(a) The department must refer the person for treatment, in accordance with ORS 418.134**
11 **(2);**

12 **(b) While the person is participating in treatment:**

13 **(A) The person must consent to random drug tests; and**

14 **(B) The department must make payments in accordance with ORS 418.050;**

15 **(c) The person may continue receiving cash assistance only while participating in treat-**
16 **ment or after successfully completing treatment; and**

17 **(d) The department shall terminate the person's cash assistance after two subsequent**
18 **positive drug test results and the assistance may not be reinstated until the person begins**
19 **complying with treatment.**

20 **(3) No person 18 years of age or older may receive cash assistance if the person know-**
21 **ingly provides lodging to a person whose assistance is terminated under subsection (2)(d) of**
22 **this section and who does not pay, in cash or in kind, the actual costs of the lodging pro-**
23 **vided, in violation of ORS 418.140.**

24 **(4) Nothing in this section is intended to limit the department's authority under ORS**
25 **418.134 to refer a person receiving cash assistance for an evaluation by a mental health or**
26 **drug abuse professional if the department reasonably believes a referral is necessary.**

27 **(5) As used in this section:**

28 **(a) "Controlled substance" has the meaning given that term in ORS 475.005.**

29 **(b) "Drug test" means a laboratory test administered in compliance with ORS 438.435 to**

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 **detect the presence of a controlled substance.**

2 (c) **“Treatment” means a program or service that is licensed, approved, established,**
3 **maintained or operated by or contracted with the department under ORS 430.265 to 430.380,**
4 **430.405 to 430.565, 430.610 to 430.880 and 430.900 to 430.930.**

5
