

Senate Bill 42

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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 school district to ensure that student is tested for anabolic steroids and performance-enhancing substances before student participates in state championship athletic event. Prohibits student from participating in state championship athletic event if student tests positive for anabolic steroid or performance-enhancing substance. Requires school district to pay for cost of test.

Declares emergency, effective July 1, 2009.

A BILL FOR AN ACT

1
2 Relating to testing prior to competition; creating new provisions; amending ORS 342.721; and de-
3 claring an emergency.

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

5 **SECTION 1. (1) As used in this section, "state championship athletic competition" means**
6 **the final interscholastic game, series of games, meet, match or other form of competition**
7 **that relies on physical ability and that results in an individual or team being designated the**
8 **best individual or team in the state. "State championship athletic competition" does not**
9 **include a competition emphasizing singing or the playing of a musical instrument.**

10 **(2) Before a student participates in a state championship athletic competition, a school**
11 **district shall ensure that the student is tested to detect the usage of anabolic steroids and**
12 **performance-enhancing substances. If a student tests positive for an anabolic steroid or a**
13 **performance-enhancing substance, the student may not participate in the state championship**
14 **athletic competition.**

15 **(3) A school district shall pay for the costs of a test for anabolic steroids and**
16 **performance-enhancing substances under this section.**

17 **(4) This section does not grant a school district the authority to test for the usage of any**
18 **substance other than an anabolic steroid or a performance-enhancing substance.**

19 **(5) For the purposes of this section, the State Board of Education shall establish by rule:**

20 **(a) The anabolic steroids and performance-enhancing substances for which school dis-**
21 **tricts must test.**

22 **(b) The concentration of an anabolic steroid or performance-enhancing substance that**
23 **constitutes a positive test.**

24 **(c) The time frame in which a school district must conduct a test for anabolic steroid**
25 **or performance-enhancing substances before a state championship athletic competition.**

26 **(d) The entities approved to conduct a test for anabolic steroid or performance-enhancing**
27 **substances.**

28 **SECTION 2. ORS 342.721 is amended to read:**

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.

1 342.721. As used in ORS 342.723 and 342.726 **and section 1 of this 2009 Act:**

2 (1) "Anabolic steroid" includes any drug or hormonal substance chemically or pharmacologically
3 related to testosterone, all prohormones, including dehydroepiandrosterone, and all substances listed
4 in the Anabolic Steroid Control Act of 2004. "Anabolic steroid" does not include estrogens,
5 progestins, corticosteroids and mineralocorticoids.

6 (2) "Performance-enhancing substance" means a manufactured product for oral ingestion,
7 intranasal application or inhalation containing compounds that:

8 (a) Contain a stimulant, amino acid, hormone precursor, herb or other botanical or any other
9 substance other than an essential vitamin or mineral; and

10 (b) Are intended to increase athletic performance, promote muscle growth, induce weight loss
11 or increase an individual's endurance or capacity for exercise.

12 (3) "School district employee" means:

13 (a) An administrator, teacher or other person employed by a school district;

14 (b) A person who volunteers for a school district; and

15 (c) A person who is performing services on behalf of a school district pursuant to a contract.

16 **SECTION 3. This 2009 Act being necessary for the immediate preservation of the public**
17 **peace, health and safety, an emergency is declared to exist, and this 2009 Act takes effect**
18 **July 1, 2009.**