

# Senate Bill 713

Sponsored by Senator STARR; Senators FERRIOLI, KRUSE

## 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**.

Prohibits grants of public assistance to individuals who test positive for substances of abuse.  
Applies to applicants for and recipients of public assistance on or after July 1, 2010.

## A BILL FOR AN ACT

1  
2 Relating to drug testing of public assistance clients.

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

4 **SECTION 1. Section 2 of this 2009 Act is added to and made a part of ORS chapter 411.**

5 **SECTION 2. (1) The Department of Human Services shall adopt rules that require all**  
6 **adult applicants for and recipients of public assistance to undergo testing for controlled**  
7 **substances as defined in ORS 475.005.**

8 **(2) The rules adopted under subsection (1) of this section must provide that the testing**  
9 **be:**

10 **(a) A condition of eligibility for public assistance;**

11 **(b) Repeated after every six consecutive months of receipt of public assistance; and**

12 **(c) In compliance with the requirements of ORS 438.435.**

13 **(3) The department shall deny or terminate public assistance to any individual for whom**  
14 **the testing described in this section produces a positive result.**

15 **SECTION 3. (1) Section 2 of this 2009 Act becomes operative on July 1, 2010.**

16 **(2) Notwithstanding the operative date specified in subsection (1) of this section, the**  
17 **Department of Human Services may take any action before the operative date that is nec-**  
18 **essary to enable the department to exercise, on and after the operative date specified in**  
19 **subsection (1) of this section, all the duties, functions and powers conferred on the depart-**  
20 **ment by section 2 of this 2009 Act.**

21 **SECTION 4. Section 2 of this 2009 Act applies to persons who apply for or receive public**  
22 **assistance on or after the operative date specified in section 3 of this 2009 Act.**

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**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.