

Senate Bill 538

Sponsored by Senator STARR (Pre-session filed.)

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 Department of Human Services to adopt rules requiring drug testing of adult applicants for and recipients of public assistance. Requires department to deny or terminate public assistance to individuals for whom testing produces positive result.

Applies to adults who apply for or receive public assistance on or after July 1, 2012.

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 2011 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 adult**
6 **applicants for and recipients of public assistance to undergo testing for substances of abuse**
7 **as defined in ORS 438.010.**

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 an individual for whom**
14 **the testing described in this section produces a positive result.**

15 **SECTION 3. (1) Section 2 of this 2011 Act becomes operative on July 1, 2012.**

16 **(2) The Department of Human Services may take any action before the operative date**
17 **specified in subsection (1) of this section that is necessary to enable the department to ex-**
18 **ercise, on and after the operative date specified in subsection (1) of this section, all the du-**
19 **ties, functions and powers conferred on the department by section 2 of this 2011 Act.**

20 **SECTION 4. Section 2 of this 2011 Act applies to adults who apply for or receive public**
21 **assistance on or after the operative date specified in section 3 of this 2011 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.