

BILL ANALYSIS

Senate Research Center
83R22011 ADM-D

C.S.S.B. 612
By: Lucio
State Affairs
5/17/2013
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

C.S.S.B. 612 amends current law relating to a drug testing requirement for a person elected to public elective office.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the secretary of state in SECTION 1 (Section 141.005, Election Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter A, Chapter 141, Election Code, by adding Section 141.005, as follows:

Sec. 141.005. DRUG SCREENING AND TESTING REQUIREMENT FOR PERSONS ELECTED TO PUBLIC OFFICE. (a) Requires a person who is elected to a public elective office, at the time the person is elected, to submit to a controlled substance use screening assessment. Requires a person whose controlled substance use screening assessment conducted under this section indicates good cause to suspect the person of controlled substance use to submit to a drug test.

(b) Requires the authority responsible for determining eligibility for the office to which the person is elected to administer a screening assessment or drug test required under this section at the person's expense.

(c) Requires the authority that administered the assessment or drug test, after completion of a screening assessment or drug test required under this section, to obtain a waiver of confidentiality from the person with respect to the results of the screening assessment or drug test and to submit the results of the screening assessment or drug test to the Texas Ethics Commission (TEC).

(d) Requires TEC to release the results of a screening assessment and drug test conducted under this section as soon as is practicable.

(e) Requires the secretary of state to adopt rules to administer this section.

SECTION 2. Effective date: September 1, 2013.