

hbd-06

Bill No. SB 1972

Amendment No. ____ (for drafter's use only)

	CHAMBER ACTION	
<u>Senate</u>		<u>House</u>

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ORIGINAL STAMP BELOW

Representative(s) Cosgrove offered the following:

Amendment (with title amendment)

On page 2, between lines 27 and 28,

insert:

Section 2. Subsection (2) of section 440.101, Florida Statutes, is amended and subsections (3) and (4) are added to said section to read:

440.101 Legislative intent; drug-free workplaces.--

(2) If an employer implements a drug-free workplace program in accordance with s. 440.102 which includes notice, education, and procedural requirements for testing for drugs and alcohol pursuant to law or to rules developed by the Agency for Health Care Administration, the employer may require the employee to submit to a test for the presence of drugs or alcohol and, if a drug or alcohol is found to be present in the employee's system at a level prescribed by rule adopted pursuant to this act, the employee may be terminated and forfeits his or her eligibility for medical and indemnity benefits. ~~However, a drug-free workplace program must require~~

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~~1 the employer to notify all employees that it is a condition of
2 employment for an employee to refrain from reporting to work
3 or working with the presence of drugs or alcohol in his or her
4 body and, if an injured employee refuses to submit to a test
5 for drugs or alcohol, the employee forfeits eligibility for
6 medical and indemnity benefits.~~

7 (3) Employers in the construction industry, as defined
8 and regulated in in parts I and II of chapter 489, shall be
9 required to implement a drug-free workplace program in
10 accordance with s. 440.102, on state funded construction
11 contracts by employers of more than 5 employees.

12 (4) A drug-free workplace program must require the
13 employer to notify all employees that it is a condition of
14 employment for an employee to refrain from reporting to work
15 or working with the presence of drugs or alcohol in his or her
16 body and, if an injured employee refuses to submit to a test
17 for drugs or alcohol, the employee forfeits eligibility for
18 medical and indemnity benefits.

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20
21 ===== T I T L E A M E N D M E N T =====

22 And the title is amended as follows:

23 On page 1, line 6,

24
25 after the semicolon insert:

26 amending s. 440.101, F.S.; revising provisions
27 relating to legislative intent with respect to
28 drug-free workplaces;