

By Senator Wise

5-1284-06

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A bill to be entitled
An act relating to the Department of
Corrections; amending s. 944.474, F.S.;
clarifying provisions prohibiting the illegal
use of controlled substances by department
employees; authorizing the department to
develop a program for the random drug testing
of employees upon a reasonable suspicion;
providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsection (2) of section 944.474, Florida
Statutes, is amended to read:

944.474 Legislative intent; employee wellness program;
drug and alcohol testing.--

(2) Under no circumstances shall employees of the
department test positive for illegal use of controlled
substances as defined by s. 893.03. An employee of the
department may not be under the influence of alcohol while on
duty. In order to ensure that these prohibitions are adhered
to by all employees of the department and notwithstanding s.
112.0455, the department may develop a program for the random
drug testing of all employees upon reasonable suspicion. The
department may randomly evaluate employees for the
contemporaneous use or influence of alcohol through the use of
alcohol tests and observation methods.

Section 2. This act shall take effect July 1, 2006.

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SENATE SUMMARY

Defines the term "controlled substances." Authorizes the Department of Corrections to develop a program for the random drug testing of department employees upon a reasonable suspicion.