



347642

LEGISLATIVE ACTION

Senate	.	House
	.	
	.	
Floor: 1A/AD/2R	.	Floor: C
05/06/2011 06:33 PM	.	05/06/2011 10:47 PM
	.	

Senator Bennett moved the following:

1 **Senate Amendment to Amendment (258560) (with title**
2 **amendment)**

3
4 Delete lines 19 - 23

5 and insert:

6 subsection (12) is redesignated as paragraph (d), and paragraph
7 (f) of subsection (5), paragraph (c) of subsection (7), present
8 paragraph (e) of subsection (10), present paragraph (d) of
9 subsection (12), and paragraph (e) of subsection (14) of that
10 section are amended to read:

11 112.0455 Drug-Free Workplace Act.—

12 (5) DEFINITIONS.—Except where the context otherwise
13 requires, as used in this act:



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14 (f) "Job applicant" means a person who has applied for a
15 ~~special risk or safety-sensitive~~ position with an employer and
16 has been offered employment conditioned upon successfully
17 passing a drug test.

18 (7) TYPES OF TESTING.—An employer is authorized, but not
19 required, to conduct the following types of drug tests:

20 (c) *Routine fitness for duty.*—An employer may require an
21 employee to submit to a drug test if the test is scheduled
22 routinely for all members of an employment classification or
23 group, or a randomly selected percentage of members of that
24 classification or group, or is conducted as part of a routinely
25 scheduled employee fitness-for-duty medical examination ~~that is~~
26 ~~part of the employer's established policy or that is scheduled~~
27 ~~routinely for all members of an employment classification or~~
28 ~~group.~~

29
30 ===== T I T L E A M E N D M E N T =====

31 And the title is amended as follows:

32 Delete line 4664

33 and insert:

34 Drug-Free Workplace Act; revising a definition;
35 authorizing an employer to require an employee to
36 submit to a drug test if the test is scheduled or
37 conducted in a specified manner; deleting an obsolete