

House Bill 2926

Sponsored by Representatives ESQUIVEL, NEARMAN; Representatives HEARD, KENNEMER, POST, SMITH G, WHISNANT, WILSON

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 drug testing for unlawful use of controlled substances of individual making initial application for unemployment insurance benefits if individual was terminated by most recent employer for unlawful use of controlled substances or suitable work is available for individual only in occupation that regularly conducts drug testing. Provides cost of administering drug tests must be paid by Employment Department and may not be charged to applicants for benefits. Disqualifies individual who fails drug test from receipt of benefits. Provides that disqualification lasts until individual meets current law requirements for requalification and passes another drug test.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to drug testing of applicants for unemployment insurance benefits; and declaring an emer-
3 gency.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1. Section 2 of this 2017 Act is added to and made a part of ORS chapter 657.**

6 **SECTION 2. (1)(a) The Director of the Employment Department may require an individ-**
7 **ual making an initial application for benefits to submit to a drug test for the unlawful use**
8 **of controlled substances, as defined under federal law, if:**

9 (A) **The individual was terminated from employment by the individual's most recent em-**
10 **ployer for the unlawful use of controlled substances; or**

11 (B) **Suitable work, as determined under ORS 657.190 and 657.195, is available for the in-**
12 **dividual only in an occupation that regularly conducts drug testing, as defined under federal**
13 **law.**

14 (b) **An individual making a continued claim for benefits may not be required to submit**
15 **to a drug test under this section.**

16 (c) **The cost of administering drug tests shall be paid by the Employment Department**
17 **and may not be charged to an individual directly or deducted from the individual's benefits.**

18 (2)(a) **An individual described in subsection (1) of this section may be disqualified from**
19 **the receipt of benefits if the individual fails a drug test administered under this section.**

20 (b) **Disqualification from the receipt of benefits because of a drug test administered under**
21 **this section shall last until the individual meets the requirements of ORS 657.176 (2) and**
22 **passes another drug test administered under this section.**

23 **SECTION 2. This 2017 Act being necessary for the immediate preservation of the public**
24 **peace, health and safety, an emergency is declared to exist, and this 2017 Act takes effect**
25 **on its passage.**

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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.