S T A T E   O F   N E W   Y O R K

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3063--A

2015-2016 Regular Sessions

I N   S E N A T E

February 2, 2015
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Introduced by Sens. YOUNG, O'MARA, ORTT -- read twice and ordered print-
  ed, and when printed to be committed to the Committee on Social
  Services -- recommitted to the Committee on Social Services in accord-
  ance with Senate Rule 6, sec. 8 -- committee discharged, bill amended,
  ordered reprinted as amended and recommitted to said committee

AN ACT to amend the social services law, in relation to prohibiting
  illegal drug use and to authorize random drug testing of individuals
  receiving public assistance

  THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEM-
BLY, DO ENACT AS FOLLOWS:

 1   Section 1. Paragraph (b) of subdivision 4 of section 132 of the social
 2 services law, as added by section 23 of part B of chapter 436 of the
 3 laws of 1997, is amended to read as follows:
 4   (b) When the screening process indicates that there is reason to
 5 believe that an applicant or recipient is ILLEGALLY USING ANY DRUGS OR
 6 IS abusing or dependent on alcohol or drugs, OR IN THE   EVENT   A   RANDOM
 7 DRUG TEST PERFORMED BY OR ON BEHALF OF THE SOCIAL SERVICES DISTRICT
 8 INDICATES THE PRESENCE OF ANY ILLEGAL DRUGS, the social services
 9 district shall require a formal alcohol or substance abuse assessment,
10 which may include drug testing, to be performed by an alcohol and/or
11 substance abuse professional credentialed by the office of alcoholism
12 and substance abuse services. The assessment may be performed directly
13 by the district or pursuant to contract with the district. APPLICANTS OR
14 RECIPIENTS WHO ARE EXEMPT FROM PARTICIPATING IN WORK ACTIVITIES PURSUANT
15 TO SECTION THREE HUNDRED THIRTY-TWO OF THIS CHAPTER SHALL BE EXEMPT FROM
16 RANDOM DRUG TESTING.
17   S 2. This act shall take effect on the sixtieth day after it shall
18 have become a law provided, however, that the commissioner of temporary
19 and disability assistance shall have the power to promulgate any rules
20 or regulations necessary for the implementation of this act.

      EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets
                        [ ] is old law to be omitted.