STATE OF NEW YORK

895

2019-2020 Regular Sessions

IN SENATE

January 9, 2019

Introduced by Sens. YOUNG, O'MARA, ORTT -- read twice and ordered printed, and when printed to be committed to the Committee on Social Services

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 Assembly, do enact as follows:

Section 1. Paragraph (b) of subdivision 4 of section 132 of the social services law, as added by section 23 of part B of chapter 436 of the laws of 1997, is amended to read as follows:

(b) When the screening process indicates that there is reason to believe that an applicant or recipient is **illegally using any drugs or is** abusing or dependent on alcohol or drugs, **or in the event a random drug test performed by or on behalf of the social services district indicates the presence of any illegal drugs,** the social services district shall require a formal alcohol or substance abuse assessment, which may include drug testing, to be performed by an alcohol and/or substance abuse professional credentialed by the office of alcoholism and substance abuse services. The assessment may be performed directly by the district or pursuant to contract with the district. **Applicants or recipients who are exempt from participating in work activities pursuant to section three hundred thirty-two of this chapter shall be exempt from random drug testing.**

§ 2. This act shall take effect on the sixtieth day after it shall have become a law provided, however, that the commissioner of temporary and disability assistance shall have the power to promulgate any rules 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.

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