

SENATE BILL NO. 1127

May 12, 1998, Introduced by Senators BERRYMAN and GAST and referred to the Committee on Government Operations.

A bill to drug test certain state employees and officials; and to prescribe the powers and duties of certain state employees and officials.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. As used in this act:

2 (a) "Controlled substance" means that term as defined in
3 section 7104 of the public health code, 1978 PA 368, MCL
4 333.7104.

5 (b) "Department head" means the executive in charge of each
6 principal department including, but not limited to, the governor,
7 lieutenant governor, secretary of state, and attorney general.
8 If a board or commission is in charge of a principal department,
9 the department head means all the members of the board or
10 commission.

1 (c) "Drug test" means the taking and analysis of a hair
2 sample for the purpose of inferring the presence in the sample of
3 trace elements of a controlled substance.

4 (d) "Legislator" means a member of the Michigan
5 legislature.

6 Sec. 3. (1) Beginning January 1, 1999, and every 2 years
7 thereafter, each legislator and department head shall submit to a
8 drug test conducted by an independent laboratory under contract
9 with this state.

10 (2) The drug tests shall be conducted in January of every
11 odd numbered year. The independent laboratory shall schedule
12 convenient times for legislators and department heads to be
13 tested.

14 Sec. 5. The results of the drug tests shall be forwarded to
15 the following:

16 (a) For members of the senate, to the senate majority leader
17 and the senate minority leader.

18 (b) For members of the house of representatives, to the
19 speaker of the house of representatives and the minority leader
20 of the house of representatives.

21 (c) For department heads, to the governor and the adminis-
22 trative board created in 1921 PA 2, MCL 17.1 to 17.3.

23 Sec. 7. After the results of the drug tests are forwarded
24 under section 5, the results of the drug tests are available for
25 disclosure under the freedom of information act, 1976 PA 442, MCL
26 15.231 to 15.246.