

REFERENCE TITLE: legislature; random drug testing

State of Arizona
House of Representatives
Fifty-sixth Legislature
Second Regular Session
2024

HB 2115

Introduced by
Representative Willoughby

AN ACT

AMENDING TITLE 38, CHAPTER 3, ARTICLE 8.1, ARIZONA REVISED STATUTES, BY
ADDING SECTION 38-520; RELATING TO DRUG TESTING.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:
2 Section 1. Title 38, chapter 3, article 8.1, Arizona Revised
3 Statutes, is amended by adding section 38-520, to read:
4 38-520. Legislators; random drug testing; ethics committee
5 A. ALL MEMBERS OF THE LEGISLATURE SHALL SUBMIT TO RANDOM DRUG
6 TESTING AT THE DISCRETION OF THE PRESIDENT OF THE SENATE OR THE SPEAKER OF
7 THE HOUSE OF REPRESENTATIVES WHEN THE LEGISLATURE IS IN SESSION.
8 B. THE COLLECTION OF SAMPLES SHALL BE PERFORMED UNDER REASONABLE
9 AND SANITARY CONDITIONS.
10 C. SAMPLE COLLECTIONS SHALL BE DOCUMENTED AND THE DOCUMENTATION
11 PROCEDURES SHALL INCLUDE BOTH OF THE FOLLOWING:
12 1. LABELING SAMPLES TO REASONABLY PRECLUDE THE POSSIBILITY OF
13 MISIDENTIFYING OF THE MEMBER TESTED IN RELATION TO THE TEST RESULT
14 PROVIDED.
15 2. AN OPPORTUNITY FOR THE MEMBER BEING TESTED TO PROVIDE ANY
16 INFORMATION THAT MAY BE CONSIDERED RELEVANT TO THE TEST RESULT, INCLUDING
17 IDENTIFYING CURRENTLY OR RECENTLY USED PRESCRIPTION DRUGS OR OTHER
18 RELEVANT MEDICAL INFORMATION.
19 D. IF A MEMBER PRODUCES A POSITIVE RESULT ON A DRUG TEST AND A
20 PRESCRIPTION MEDICATION IS NOT THE CAUSE OF THE POSITIVE RESULT, THE
21 PRESIDENT OF THE SENATE OR THE SPEAKER OF THE HOUSE OF REPRESENTATIVES
22 SHALL REFER THE MEMBER DIRECTLY TO THE ETHICS COMMITTEE OF THE MEMBER'S
23 RESPECTIVE HOUSE FOR REVIEW AND RECOMMENDATIONS.