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SENATE BILL 443

44TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 1999

INTRODUCED BY

Stuart Ingle

AN ACT

RELATING TO EDUCATION; REQUIRING RANDOM DRUG TESTING OF
TEACHERS AND ADMINISTRATORS BASED UPON REASONABLE SUSPICION OF
DRUG USE.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. A new section of the Public School Code is
enacted to read:

" NEW MATERIAL RANDOM DRUG TESTING--TEACHERS AND
ADMINISTRATORS. --

A. School districts shall require a teacher or
administrator to submit to random urinalysis testing if there
is a reasonable suspicion that the teacher or administrator is
using or possessing drugs while on school property or in the
performance of his duties as a teacher or administrator.

B. A drug test shall be limited to testing for the

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1 presence of controlled substances listed in Schedule I, II,
2 III, IV or V of the Controlled Substances Act. A test for any
3 other substance or medical condition shall not be allowed
4 under this section.

5 C. A drug test shall be conducted only by a third
6 party. A teacher or administrator shall be required to
7 disclose to the third party the use of only those medications
8 that may affect the result of the drug test. The third party
9 shall keep confidential any disclosure provided pursuant to
10 this subsection and shall not disclose the use of the
11 medications or any medical condition the third party has
12 knowledge of to anyone else.

13 D. The school district shall pay the cost of drug
14 tests. "

1 FORTY-FOURTH LEGISLATURE

2 FIRST SESSION, 1999

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5 February 26, 1999

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7 Mr. President:

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9 Your EDUCATION COMMITTEE, to whom has been referred

10
11 SENATE BILL 443

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13 has had it under consideration and reports same WITHOUT
14 RECOMMENDATION, and thence referred to the JUDICIARY
15 COMMITTEE.
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18 Respectfully submitted,

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24 Cynthia Nava, Chairman
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1 Adopted _____ Not

2 Adopted _____

3 (Chief Clerk)

(Chief Clerk)

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6 Date _____

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9 The roll call vote was 7 For 0 Against

10 Yes: 7

11 No: 0

12 Excused: Boitano, Duran, Lopez

13 Absent: None

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