

SENATE FILE NO. SF0104

Workforce services-voluntary drug testing.

Sponsored by: Senator(s) Jennings

A BILL

for

1 AN ACT relating to workforce services; providing for
2 voluntary drug testing of workforce development program
3 participants; providing for reimbursement by employers;
4 providing for rules and regulations; providing a continuous
5 appropriation; providing an appropriation; and providing
6 for an effective date.

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8 *Be It Enacted by the Legislature of the State of Wyoming:*

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10 **Section 1.** W.S. 9-2-2608 is created to read:

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12 **9-2-2608. Workforce services voluntary drug testing**
13 **account established.**

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15 (a) There is established the Wyoming workforce
16 services voluntary drug testing account. The state
17 treasurer shall invest available revenues in the account in

1 accordance with law, and earnings from those investments
2 shall be credited to the account. Amounts received from
3 employers pursuant to W.S. 9-2-2601(k)(ii) shall be
4 deposited in the account. The revenues in the account are
5 continuously appropriated to the department of workforce
6 services to be expended as provided in this section.

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8 (b) Revenues in the Wyoming workforce services
9 voluntary drug testing account may be expended to
10 administer a program of voluntary drug testing of workforce
11 services participants as provided in W.S. 9-2-2601(k).

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13 (c) Expenditures from the workforce services voluntary
14 drug testing account for purposes authorized in subsection
15 (b) of this section shall be approved by the director of
16 the department of workforce services based on procedures
17 and criteria established by regulations. The director of
18 the department of workforce services shall report annually
19 to the governor and the legislature on the expenditures
20 made from the workforce services voluntary drug testing
21 account in the preceding fiscal year and the amounts
22 received from employers and deposited in the account.

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1 **Section 2.** W.S. 9-2-2601 by creating a new subsection
2 (k) is amended to read:

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4 **9-2-2601. Department of workforce services; duties**
5 **and responsibilities; agreements with other agencies**
6 **authorized; definition.**

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8 (k) The department shall establish and administer by
9 rule and regulation a program for voluntary drug testing of
10 workforce services participants that includes the
11 following:

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13 (i) The decision to participate in the voluntary
14 drug testing program shall be at the discretion of the
15 participant and shall not be a requirement for
16 participation in workforce services programs;

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18 (ii) The department shall pay all costs of the
19 drug testing, but shall require reimbursement from
20 employers if an employer hires a workforce services
21 participant who has submitted to the voluntary drug testing
22 program;

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1 (iii) The voluntary drug testing program shall
2 provide procedural safeguards to ensure the protection of
3 the constitutional rights of the participants and provide
4 that testing shall be done by state certified laboratories;

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6 (iv) The department shall set standards
7 governing all aspects of the testing process;

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9 (v) The department shall make the voluntary
10 testing program available to all state agency employers,
11 school district employers, the University of Wyoming and
12 Wyoming community colleges.

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14 (vi) The department shall prepare a written
15 statistical report on the program and submit the report to
16 the legislature on or before January 1, 2007 and annually
17 thereafter.

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19 **Section 2.** There is appropriated two hundred fifty
20 thousand dollars (\$250,000.00) from the general fund to the
21 workforce services voluntary drug testing account for
22 purposes of this act.

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