

By: Carona

S.B. No. 328

A BILL TO BE ENTITLED

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AN ACT

relating to the requirement that the results of an alcohol and drug test taken by certain holders of a commercial driver's license be reported to the Department of Public Safety of the State of Texas.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subsection (a), Section 644.252, Transportation Code, is amended to read as follows:

(a) An employer required to conduct alcohol and drug testing of an employee who holds a commercial driver's license under Chapter 522 under federal safety regulations as part of the employer's drug testing program or consortium, as defined by 49 C.F.R. Part 382, shall report to the department:

(1) a valid positive result on an alcohol or drug test performed and whether the specimen producing the result was a dilute specimen, as defined by 49 C.F.R. Section 40.3;

(2) a refusal to provide a specimen for an alcohol or drug test; or

(3) an adulterated specimen~~[, dilute specimen,]~~ or substituted specimen, as those terms are defined by 49 C.F.R. Section 40.3, on an alcohol or drug test performed.

SECTION 2. This Act takes effect September 1, 2007.