

Senate Amendment 5070

PAG LIN

1 1 Amend Senate File 2173 as follows:
1 2 #1. Page 1, line 11, by inserting after the word
1 3 <administration.> the following: <If nationally
1 4 accepted standards have not been adopted by the
1 5 federal substance abuse and health services
1 6 administration, the standards for determining
1 7 detectable levels of controlled substances for
1 8 purposes of determining a confirmed positive test
1 9 result shall be the same standard that has been
1 10 established by the federal food and drug
1 11 administration for the measuring instrument used to
1 12 perform the blood, urine, or oral fluid test.>
1 13 #2. Page 1, by inserting after line 18 the
1 14 following:
1 15 <Sec. _____. Section 730.5, subsection 7, paragraph
1 16 a, Code 2003, is amended to read as follows:
1 17 a. The collection of samples shall be performed
1 18 under sanitary conditions and with regard for the
1 19 privacy of the individual from whom the specimen is
1 20 being obtained and in a manner reasonably calculated
1 21 to preclude contamination or substitution of the
1 22 specimen. If the sample collected is urine,
1 23 procedures shall be established to provide for
1 24 individual privacy in the collection of the sample
1 25 unless there is a reasonable suspicion that a
1 26 particular individual subject to testing may alter or
1 27 substitute the urine specimen to be provided, or has
1 28 previously altered or substituted a urine specimen
1 29 provided pursuant to a drug or alcohol test. For
1 30 purposes of this paragraph, "individual privacy" means
1 31 a location at the collection site where urination can
1 32 occur in private, which has been secured by visual
1 33 inspection to ensure that other persons are not
1 34 present, which provides that undetected access to the
1 35 location is not possible during urination, and which
1 36 provides for the ability to effectively restrict
1 37 access to the location during the time the specimen is
1 38 provided. If an individual is providing a urine
1 39 sample and collection of the urine sample is directly
1 40 monitored or observed by another individual, the
1 41 individual who is directly monitoring or observing the
1 42 collection shall be of the same gender as the
1 43 individual from whom the urine sample is being
1 44 collected.>
1 45 #3. Page 2, lines 23 and 24, by striking the words
1 46 <The sample shall be split in the approved
1 47 laboratory.>
1 48 #4. Page 2, line 27, by striking the word <second>
1 49 and inserting the following: <unused>.
1 50 #5. Page 5, by striking lines 11 through 18.
2 1 #6. By renumbering as necessary.
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2 5 _____
2 6 NEAL SCHUERER
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2 8 _____
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2 11 _____
2 12 SF 2173.701 80
2 13 ec/gg