

1 AMENDMENT TO SENATE BILL 1032

2 AMENDMENT NO. _____. Amend Senate Bill 1032 as follows:
3 by replacing everything after the enacting clause with the
4 following:

5 "Section 5. The State Police Act is amended by adding
6 Section 12.5 as follows:

7 (20 ILCS 2610/12.5 new)

8 Sec. 12.5. Zero tolerance drug policy. Any person
9 employed by the Department of State Police who tests positive
10 in accordance with established Departmental drug testing
11 procedures for any substance prohibited by the Cannabis
12 Control Act or the Illinois Controlled Substances Act shall
13 be discharged from employment. Refusal to submit to a drug
14 test, ordered in accordance with Departmental procedures, by
15 any person employed by the Department shall be construed as a
16 positive test, and the person shall be discharged from
17 employment.

18 Section 10. The Unified Code of Corrections is amended
19 by adding Section 3-7-2.5 as follows:

20 (730 ILCS 5/3-7-2.5 new)

1 Sec. 3-7-2.5. Zero tolerance drug policy.

2 (a) Any person employed by the Department of Corrections
3 who tests positive in accordance with established
4 Departmental drug testing procedures for any substance
5 prohibited by the Cannabis Control Act or the Illinois
6 Controlled Substances Act shall be discharged from
7 employment. Refusal to submit to a drug test, ordered in
8 accordance with Departmental procedures, by any person
9 employed by the Department shall be construed as a positive
10 test, and the person shall be discharged from employment.

11 Testing of employees shall be conducted in accordance
12 with established Departmental drug testing procedures.
13 Changes to established drug testing procedures that are
14 inconsistent with the federal guidelines specified in the
15 Mandatory Guidelines for Federal Workplace Drug Testing
16 Program, 59 FR 29908, or that affect terms and conditions of
17 employment, shall be negotiated with an exclusive bargaining
18 representative in accordance with the Illinois Public Labor
19 Relations Act.

20 (1) All samples used for the purpose of drug
21 testing shall be collected by persons who have at least
22 40 hours of initial training in the proper collection
23 procedures and at least 8 hours of annual follow-up
24 training. Proof of this training shall be available upon
25 request. In order to ensure that these persons possess
26 the necessary knowledge, skills, and experience to carry
27 out their duties, their training must include guidelines
28 and procedures used for the collection process and must
29 also incorporate training on the appropriate
30 interpersonal skills required during the collection
31 process.

32 (2) With respect to any bargaining unit employee,
33 the Department shall not initiate discipline of any
34 employee who authorizes the testing of a split urine

1 sample in accordance with established Departmental drug
2 testing procedures until receipt by the Department of the
3 test results from the split urine sample evidencing a
4 positive test for any substance prohibited by the
5 Cannabis Control Act or the Illinois Controlled
6 Substances Act.

7 (b) Any employee discharged in accordance with the
8 provisions of subsection (a) shall not be eligible for rehire
9 by the Department."