



# HOUSE COMMITTEE ON APPROPRIATIONS

## FISCAL NOTE

HOUSE BILL NO. 810

PRINTERS NO. 2577

PRIME SPONSOR: DeLuca

### COST / (SAVINGS)

FUND	FY 2013/14	FY 2014/15
General Fund	\$0	Minimal

**SUMMARY:** House Bill 810 adds a new section to the Public School Code concerning testing for controlled substances for prospective employees. It would take effect in 60 days.

**ANALYSIS:** This legislation requires pre-employment drug screening of all prospective employees of public and private schools, intermediate units and area vocational-technical schools, including independent contractors and their employees. Exceptions are made for employees of independent contractors who have no direct contact with children and school bus drivers who are already subject to testing pursuant to federal motor carrier safety regulations.

Schools must require prospective employees submit, upon offer of employment, a report of drug testing paid for by the applicant. The test and report must be conducted and issued subsequent to the offer of employment and prior to the actual hiring date of the applicant.

Beginning April 1, 2015, school administrators must require the applicant to submit a copy of the controlled substances testing report in a manner prescribed by the Department of Education. The school must maintain a copy of the report and return the original controlled substances testing report to the applicant. In addition, the State Board of Education is required to promulgate regulations necessary to carry out this legislation

No person subject to this testing shall be employed in a public or private school, intermediate unit or area vocational-technical school where the controlled substances testing report indicates the applicant has used a controlled substance without a prescription from a physician.

**FISCAL IMPACT:** Enactment of this legislation will have a minimal impact on Commonwealth and school district funds. The legislation stipulates the drug testing must be paid for by the applicant. The State Board of Education estimates the average cost of promulgating regulations at about \$4,100, which covers meeting notices and staff and board travel reimbursement. School districts may incur some minimal additional costs for record keeping on new personnel, but this would vary greatly by school district.

**PREPARED BY:** Jeff Miller  
House Appropriations Committee (R)

**DATE:** December 10, 2013

*Estimates are calculated using the best information available. Actual costs and revenue impact incurred may vary from estimates.*