

HOUSE _____ AMENDMENT NO. _____

Offered By _____

1 AMEND House Committee Substitute for House Bill Nos. 73 & 47, Page 1, Lines 2 through 3 of
2 the title, by deleting the words, “illegal drug use of applicants and recipients of temporary
3 assistance for needy families benefits” and inserting in lieu thereof the words, “drug testing”; and
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5 Further amend said bill, Page 2, Section 208.027, Line 26, by inserting after all of said section and
6 line the following:

7 “Section 1. 1. Any taxpayer receiving a state tax credit shall be subject to chemical
8 testing of their blood or urine for the purpose of determining the drug content of the blood. The
9 costs of such testing shall be paid by such taxpayer.

10 2. To be considered valid, chemical tests of the taxpayer's blood or urine shall be
11 performed according to methods and devices approved by the state department of health and
12 senior services, and shall be performed by licensed medical personnel or by a person possessing a
13 valid permit issued by the state department of health and senior services for this purpose. A blood
14 test shall not be performed if the medical personnel, in good faith medical judgment, believe such
15 procedure would endanger the health of the taxpayer.

16 3. Upon request of the taxpayer tested, full information concerning the test shall be made
17 available to the taxpayer.

18 4. Refusal to submit to a drug test as authorized under this section is an admission that the
19 taxpayer has taken a controlled substance without legal authorization. A taxpayer who refuses to
20 submit to a drug test under this section shall not be eligible to receive any state tax credit for the
21 year in which they refused to submit to a drug test.

22 5. A taxpayer who tests positive for drugs that have not been lawfully prescribed or based

1 on the testing has been shown to have abused the use of drugs that were otherwise lawfully
2 prescribed shall not be eligible to receive any state tax credit for the year in which they tested
3 positive for drugs.

4 6. For purposes of this section, "drug" means marijuana, any narcotic drug or controlled
5 substance as defined in chapter 195, RSMo, or the metabolite of any such substance.

6 7. No person administering a chemical test under this section or any other person, firm, or
7 corporation with whom such person is associated shall be civilly liable for damages to the
8 taxpayer tested except for negligence or by willful or wanton act or omission.”; and _____

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10 Further amend said bill by amending the title, enacting clause, and intersectional references
11 accordingly.