

18A:16-2

**LEGISLATIVE HISTORY CHECKLIST**  
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(Drug testing)

NJSA: 18A:16-2

LAWS OF: 1996 CHAPTER: 35

BILL NO: S330

SPONSOR(S): Martin

DATE INTRODUCED: Pre-filed

COMMITTEE: ASSEMBLY: Education

SENATE: Education

AMENDED DURING PASSAGE: Yes Amendments during passage denoted  
First reprint enacted by superscript numbers

DATE OF PASSAGE: ASSEMBLY: May 6, 1996

SENATE: February 5, 1996

DATE OF APPROVAL: June 18, 1996

**FOLLOWING STATEMENTS ARE ATTACHED IF AVAILABLE:**

SPONSOR STATEMENT: Yes

COMMITTEE STATEMENT: ASSEMBLY: Yes  
SENATE: Yes

FISCAL NOTE: No

VETO MESSAGE: No

MESSAGE ON SIGNING: No

FOLLOWING WERE PRINTED:  
REPORTS: No

HEARINGS: No

KBP:pp

P.L. 1996, CHAPTER 35, *approved June 18, 1996*  
Senate No. 330 (*First Reprint*)

1 AN ACT concerning drug testing by boards of education and amending  
2 N.J.S.18A:16-2.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State  
5 of New Jersey:

6

7 1. N.J.S.18A:16-2 is amended to read as follows:

8 18A:16-2. a. Every board of education shall require all of its  
9 employees, and may require any candidate for employment, to undergo  
10 a physical examination, the scope whereof shall be determined under  
11 rules of the state board, at least once in every year and may require  
12 additional individual psychiatric or physical examinations of any  
13 employee, whenever, in the judgment of the board, an employee shows  
14 evidence of deviation from normal, physical or mental health.

15 Any such examination may, if the board so requires, include  
16 laboratory tests or fluoroscopic or X-ray procedures for the obtaining  
17 of additional diagnostic data.

18 b. A board of education may include testing for usage of controlled  
19 dangerous substances as they are defined in N.J.S.2C:35-2 as part of  
20 any physical examination which is required of a candidate for  
21 employment who has received a conditional offer of employment. Any  
22 <sup>1</sup>[costs associated with the] <sup>1</sup>testing <sup>1</sup>[which is] shall be <sup>1</sup>conducted by  
23 a physician or institution designated by the board of education <sup>1</sup>and the  
24 costs<sup>1</sup> shall be paid by the board.

25 The Department of Education, in consultation with the Department  
26 of Health, shall develop guidelines for school boards which elect to  
27 require the testing.

28 (cf: N.J.S.18A:16-2)

29

30 2. This act shall take effect immediately.

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35 Permits board of education to include drug testing in physical  
36 examination of candidates for employment.

**EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and intended to be omitted in the law.**

**Matter underlined thus is new matter.**

**Matter enclosed in superscript numerals has been adopted as follows:**

<sup>1</sup> Assembly AED committee amendments adopted March 25, 1996.

[First Reprint]  
SENATE, No. 330

STATE OF NEW JERSEY

PRE-FILED FOR INTRODUCTION IN THE 1996 SESSION

By Senators MARTIN, Palaia and Bennett

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18 b. A board of education may include testing for usage of controlled  
19 dangerous substances as they are defined in N.J.S.2C:35-2 as part of  
20 any physical examination which is required of a candidate for  
21 employment who has received a conditional offer of employment. Any  
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24 the costs <sup>1</sup> shall be paid by the board.

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4 examination of candidates for employment.

*SPONSORS* STATEMENT

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This bill permits a board of education to include testing for usage of controlled dangerous substances as part of any physical examination which is required of a candidate for employment who has received a conditional offer of employment. Any costs associated with the testing which is conducted by a physician or institution designated by the board of education would be paid by the board. If the candidate selected the physician or institution, the costs would be paid by the candidate. The Department of Education, in consultation with the Department of Health, is directed to develop guidelines for school boards which elect to require the testing.

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Permits board of education to include drug testing in physical examination of candidates for employment.

ASSEMBLY EDUCATION COMMITTEE

STATEMENT TO

**SENATE, No. 330**

with committee amendments

**STATE OF NEW JERSEY**

DATED: MARCH 25, 1996

The Assembly Education Committee reports favorably Senate Bill No. 330 with committee amendments.

This bill permits a board of education to include testing for usage of controlled dangerous substances as part of any physical examination which is required of a candidate for employment who has received a conditional offer of employment. The testing would be conducted by a physician or institution designated by the board of education and any costs associated with the testing would be paid by the board. The Department of Education, in consultation with the Department of Health, is directed to develop guidelines for school boards which elect to require the testing.

The committee amended the bill to require that the testing of any candidate for employment be conducted by a physician or institution designated by the board of education.

As amended by committee, this bill is identical to Assembly Bill No. 1640 with Assembly committee amendments.

SENATE EDUCATION COMMITTEE

STATEMENT TO

SENATE, No. 330

**STATE OF NEW JERSEY**

DATED: JANUARY 18, 1996

The Senate Education Committee reports favorably Senate Bill No. 330.

This bill permits a board of education to include testing for usage of controlled dangerous substances as part of any physical examination which is required of a candidate for employment who has received a conditional offer of employment. Any costs associated with the testing which is conducted by a physician or institution designated by the board of education would be paid by the board. If the candidate selected the physician or institution, the costs would be paid by the candidate. The Department of Education, in consultation with the Department of Health, is directed to develop guidelines for school boards which elect to require the testing.

This bill was pre-filed for introduction in the 1996 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.