

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 59th Legislature (2023)

4 COMMITTEE SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 2814

By: Kendrix of the House

and

Daniels of the Senate

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9 COMMITTEE SUBSTITUTE

10 An Act relating to sunset; amending 59 O.S. 2021,
11 Section 1873, which relates to the Oklahoma Board of
12 Licensed Alcohol and Drug Counselors; re-creating the
13 Board; and modifying termination date.

14 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

15 SECTION 1. AMENDATORY 59 O.S. 2021, Section 1873, is
16 amended to read as follows:

17 Section 1873. A. There is hereby re-created, to continue until
18 July 1, ~~2023~~ 2025, in accordance with the provisions of the Oklahoma
19 Sunset Law, the Oklahoma Board of Licensed Alcohol and Drug
20 Counselors, consisting of seven (7) members, to be appointed by the
21 Governor, with the advice and consent of the Senate, as follows:

- 22 1. a. Six members who shall be alcohol and drug counselors
23 certified by an entity recognized to do professional
24 alcohol and drug counseling certification in this

1 state; provided, however, five of such members shall
2 subsequently secure licensure and one such member
3 shall subsequently secure certification, pursuant to
4 the provisions of the Licensed Alcohol and Drug
5 Counselors Act, no later than January 1, 2005.

6 b. Thereafter, five members shall be licensed alcohol and
7 drug counselors at the time of appointment, and one
8 member shall be certified as an alcohol and drug
9 counselor at the time of appointment.

10 c. Pursuant to the provisions of this paragraph, the
11 Governor shall appoint:

12 (1) four members from a list of names submitted by
13 the Oklahoma Drug and Alcohol Professional
14 Counselors Association,

15 (2) one member from a list of names submitted by the
16 Oklahoma Substance Abuse Services Alliance, and

17 (3) one member from a list of names submitted by the
18 Oklahoma Citizen Advocates for Recovery and
19 Treatment Association.

20 d. One member shall be appointed from and shall represent
21 the general public. Such member shall be a resident
22 of this state who has attained the age of majority and
23 shall not be, nor shall ever have been, a licensed or
24 certified alcohol and drug counselor, or the spouse of

1 a licensed or certified alcohol and drug counselor, or
2 a person who has ever had any material financial
3 interest in the provision of alcohol and drug
4 counseling services or has engaged in any activity
5 directly related to the practice of alcohol and drug
6 counseling.

7 2. The composition of the Board shall include five members who
8 hold a master's or higher degree and one member whose highest degree
9 held is a bachelor's degree.

10 3. The Governor shall appoint the members to the Board no later
11 than July 1, 2004.

12 B. Each member of the Board appointed as a licensed alcohol and
13 drug counselor shall:

14 1. Be certified or licensed to engage in the practice of
15 alcohol and drug counseling in this state and shall be in good
16 standing; and

17 2. Have at least three (3) years of experience in the practice
18 of alcohol and drug counseling in this state.

19 C. Two of the members initially appointed shall serve three-
20 year terms; two shall serve four-year terms and three shall serve
21 five-year terms, as designated by the Governor. Thereafter, the
22 terms of all members shall be five (5) years.

23 D. A vacancy on the Board shall be filled in the same manner as
24 the original appointment for the balance of the unexpired term.

1 Members may succeed themselves but shall serve no more than two
2 consecutive terms. Each member shall serve until a successor is
3 appointed and qualified.

4 E. Members of the Board may be removed from office for one or
5 more of the following reasons:

6 1. The refusal or inability for any reason to perform the
7 duties of a Board member in an efficient, responsible and
8 professional manner;

9 2. The misuse of office for pecuniary or material gain or for
10 personal advantage for self or another;

11 3. A violation of the laws or rules governing the practice of
12 alcohol and drug counseling; or

13 4. Conviction of a felony as verified by a certified copy of
14 the record of the court of conviction.

15 F. Members of the Board shall serve without compensation, but
16 shall be reimbursed for actual and necessary travel expenses as
17 provided in the State Travel Reimbursement Act.

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19 COMMITTEE REPORT BY: COMMITTEE ON ADMINISTRATIVE RULES, dated
20 03/02/2023 - DO PASS, As Amended and Coauthored.

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