

Department of Planning and Budget 2008 Fiscal Impact Statement

1. Bill Number: HB366

House of Origin	<u>X</u>	Introduced	___	Substitute	___	Engrossed
Second House	___	In Committee	___	Substitute	___	Enrolled

2. Patron: Carrico

3. Committee: Commerce and Labor

4. Title: Unemployment compensation; testing for controlled substances.

5. Summary: The bill disqualifies an individual from receiving unemployment compensation benefits if he is discharged from employment as a result of a confirmed positive test for a nonprescribed controlled substance conducted in a United States Department of Transportation-qualified drug screen. In addition, an unemployed individual who applies for benefits is disqualified if he has been rejected for offered employment as the result of either (i) failing to appear for such a drug screen that is a condition of a job offer or (ii) testing positive for a nonprescribed controlled substance in such a drug screen. Currently, an individual is ineligible for unemployment benefits if he fails a drug test conducted in accordance with scientifically recognized standards by a laboratory accredited by the United States Department of Health and Human Services, or the College of American Pathology, or the American Association for Clinical Chemistry, or the equivalent. In addition, the provision that currently permits the Virginia Employment Commission to consider evidence of mitigating circumstances in determining whether misconduct occurred is repealed.

6. Fiscal Impact Estimates: The bill does not have a fiscal impact.

7. Budget Amendment Necessary: No.

8. Fiscal Implications: None.

9. Specific Agency or Political Subdivisions Affected: Virginia Employment Commission.

10. Technical Amendment Necessary: No.

11. Other Comments: None.

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cc: Secretary of Commerce and Trade