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**Committee on Judiciary and Public Safety**  
**February 1, 2016 Public Hearing**  
**SB499 Testimony**

Thank you, Mr. Chairman, for holding a hearing on Senate Bill 499 today. This issue was brought to my attention by a constituent and a local business owner in my district. This business has a contract that requires all employees be drug-free. This issue has proved to me more difficult, as they have faced situations where employees were using synthetic urine to pass employer-required drug tests. Synthetic urine has the potential to be used as a masking agent that may allow a drug user to falsify the results of a drug test and appear drug-free.

To combat this issue, the business owner began to ask employees to empty their pockets before taking any required drug tests. In some cases, employees would refuse to take required drug tests and, subsequently, the business owner would find synthetic urine in the employees' possession. This resulted in the company wasting valuable time and energy attempting to prove to the Department of Workforce Development why those who walked off a job, quit, or were fired due to the drug testing requirements should not receive unemployment benefits.

Through research, we found that 14 other states have passed laws relating to masking agents like synthetic urine and their use in falsifying drug test results. Senate Bill 499 is modeled after language from other states and criminalizes the possession, manufacturing, distribution, and advertisement of any substance or device which is intended to defraud, circumvent, interfere with, or provide a substitute for a bodily fluid in conjunction with a lawfully administered drug test. The penalties in this SB 499 are mirrored from the current penalties in place for synthetic marijuana and will be applied accordingly.

Thank you once again Chairman Wanggaard and committee members for hearing my testimony today.