

1 **SENATE FLOOR VERSION**

2 February 13, 2025

3 COMMITTEE SUBSTITUTE  
4 FOR

5 SENATE BILL NO. 396

By: Bergstrom of the Senate

and

Kendrix of the House

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8  
9 An Act relating to professions and occupations;  
10 amending 59 O.S. 2021, Section 1873, as amended by  
11 Section 1, Chapter 88, O.S.L. 2023 (59 O.S. Supp.  
12 2024, Section 1873), which relates to the Oklahoma  
13 Board of Licensed Alcohol and Drug Counselors;  
14 extending sunset date; updating statutory language;  
15 providing an effective date; and declaring an  
16 emergency.

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

18 SECTION 1. AMENDATORY 59 O.S. 2021, Section 1873, as  
19 amended by Section 1, Chapter 88, O.S.L. 2023 (59 O.S. Supp. 2024,  
20 Section 1873), is amended to read as follows:

21 Section 1873. A. There is hereby re-created, to continue until  
22 ~~July 1, 2025~~ July 1, 2028, in accordance with the provisions of the  
23 Oklahoma Sunset Law, the Oklahoma Board of Licensed Alcohol and Drug  
24 Counselors, consisting of seven (7) members, to be appointed by the  
Governor, with the advice and consent of the Senate, as follows:

1           1.    a.   Six members who shall be alcohol and drug counselors  
2                   certified by an entity recognized to do professional  
3                   alcohol and drug counseling certification in this  
4                   state; provided, however, five of such members shall  
5                   subsequently secure licensure and one such member  
6                   shall subsequently secure certification, pursuant to  
7                   the provisions of the Licensed Alcohol and Drug  
8                   Counselors Act, no later than January 1, 2005.

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

13           c.    Pursuant to the provisions of this paragraph, the  
14                   Governor shall appoint:

15                   (1)   four members from a list of names submitted by  
16                            the Oklahoma Drug and Alcohol Professional  
17                            ~~Counselors~~ Counselor Association,

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

20                   (3)   one member from a list of names submitted by the  
21                            Oklahoma Citizen Advocates for Recovery and  
22                            ~~Treatment~~ Transformation Association.

23           d.    One member shall be appointed from and shall represent  
24                   the general public.  Such member shall be a resident

1 of this state who has attained the age of majority and  
2 shall not be, nor shall ever have been, a licensed or  
3 certified alcohol and drug counselor, or the spouse of  
4 a licensed or certified alcohol and drug counselor, or  
5 a person who has ever had any material financial  
6 interest in the provision of alcohol and drug  
7 counseling services or has engaged in any activity  
8 directly related to the practice of alcohol and drug  
9 counseling.

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

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

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

17 1. Be certified or licensed to engage in the practice of  
18 alcohol and drug counseling in this state and shall be in good  
19 standing; and

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

22 C. Two of the members initially appointed shall serve three-  
23 year terms; two shall serve four-year terms; and three shall serve  
24

1 five-year terms, as designated by the Governor. Thereafter, the  
2 terms of all members shall be five (5) years.

3 D. A vacancy on the Board shall be filled in the same manner as  
4 the original appointment for the balance of the unexpired term.  
5 Members may succeed themselves but shall serve no more than two  
6 consecutive terms. Each member shall serve until a successor is  
7 appointed and qualified.

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

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

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

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

17 4. Conviction of a felony as verified by a certified copy of  
18 the record of the court of conviction.

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

22 SECTION 2. This act shall become effective July 1, 2025.

23 SECTION 3. It being immediately necessary for the preservation  
24 of the public peace, health or safety, an emergency is hereby

1 declared to exist, by reason whereof this act shall take effect and  
2 be in full force from and after its passage and approval.

3 COMMITTEE REPORT BY: COMMITTEE ON ADMINISTRATIVE RULES  
4 February 13, 2025 - DO PASS AS AMENDED BY CS  
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