

1 **SENATE FLOOR VERSION**

2 February 24, 2025

3 SENATE BILL NO. 1040

By: Daniels

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6 An Act relating to the practice of alcohol and drug
7 counseling; amending 59 O.S. 2021, Section 1873, as
8 amended by Section 1, Chapter 88, O.S.L. 2023 (59
9 O.S. Supp. 2024, Section 1873), which relates to the
10 Oklahoma Board of Licensed Alcohol and Drug
11 Counselors; removing certain limitation on
12 appointees; permitting the Governor to consider
13 certain recommendations; and providing an effective
14 date.

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

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

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

- 24 1. a. Six members who shall be alcohol and drug counselors
certified by an entity recognized to do professional
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 In selecting appointees, the Governor may consider

21 recommendations from a statewide organization

22 representing alcohol and drug counselors, a state

23 chapter of a national organization representing

24 alcohol and drug counselors, a statewide organization

1 representing individuals in recovery, or other groups
2 or individuals in this state.

3 d. One member shall be appointed from and shall represent
4 the general public. Such member shall be a resident
5 of this state who has attained the age of majority and
6 shall not be, nor shall ever have been, a licensed or
7 certified alcohol and drug counselor, or the spouse of
8 a licensed or certified alcohol and drug counselor, or
9 a person who has ever had any material financial
10 interest in the provision of alcohol and drug
11 counseling services or has engaged in any activity
12 directly related to the practice of alcohol and drug
13 counseling.

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

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

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

21 1. Be certified or licensed to engage in the practice of
22 alcohol and drug counseling in this state and shall be in good
23 standing; and
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1 2. Have at least three (3) years of experience in the practice
2 of alcohol and drug counseling in this state.

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

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

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

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

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

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

21 4. Conviction of a felony as verified by a certified copy of
22 the record of the court of conviction.

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

4 SECTION 2. This act shall become effective November 1, 2025.

5 COMMITTEE REPORT BY: COMMITTEE ON HEALTH AND HUMAN SERVICES
6 February 24, 2025 - DO PASS
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