

HOUSE BILL 2762

By Turner M

AN ACT to amend Tennessee Code Annotated, Title 39,  
Chapter 17, Part 4, relative to drug testing.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 39-17-437, is amended by deleting the section in its entirety and by substituting instead the following:

Section 39-17-437.

(a)

(1) It is an offense for a person to intentionally use, or possess with the intent to use, any substance or device designed to falsify the results of a drug test of that person.

(2) Except as provided in subdivision (3), it is an offense for a person to sell synthetic urine.

(3) It is not an offense for a person to sell synthetic urine to an individual for bona fide educational, medical or scientific purposes. Any person selling synthetic urine for such purposes shall maintain documentation as to the educational, medical or scientific purpose for each individual sale of such urine for a period not less than five (5) years.

(b) As used in this section:

(1) "Drug test" means a lawfully administered test designed to detect the presence of a controlled substance; and

(2) "Synthetic urine" means any product or substance which is designed to falsify the results of a drug test for a human being.

(c)

(1) A violation of subdivision (a)(1) is a Class A misdemeanor.

(2) A violation of subdivision (a)(2) is a Class C misdemeanor.

SECTION 2. This act shall take effect July 1, 2010, the public welfare requiring it.