

1 *thereto*, under the authority of subsection (d)(1)(A) of 21 U.S.C. § 862a,  
2 the state of Kansas hereby exercises its option out of subsection (a) of 21  
3 U.S.C. § 862a, which makes any individual ineligible for certain state and  
4 federal assistance if that individual has been convicted under federal or  
5 state law of any offense which is classified as a felony by the law of the  
6 jurisdiction and which has as an element of such offense the possession,  
7 use or distribution of a controlled substance as defined by subsection (6) of  
8 21 U.S.C. § 802, only if, after such conviction, such individual has:

9 (1) Been assessed by a licensed substance abuse treatment provider as  
10 not requiring substance abuse treatment; or

11 (2) been assessed by a licensed substance abuse treatment provider  
12 and such provider recommended substance abuse treatment and such  
13 individual:

14 (A) Is participating in a licensed substance abuse treatment program;  
15 or

16 (B) has successfully completed a licensed substance abuse treatment  
17 program.

18 (b) An individual shall be disqualified for any state or federal  
19 assistance permitted by this section if confirmation of illegal drug use is  
20 found as a result of testing that occurs while the individual is on probation,  
21 parole, conditional release or postrelease supervision or during required  
22 substance abuse treatment. Thereafter, such disqualified individual may  
23 reapply for assistance after 30 days.

24 New Sec. 3. (a) Each employer shall submit a report to the secretary  
25 containing:

26 (1) ~~The name and address of each employee who has been~~  
27 ~~discharged by reason of misconduct as such term is defined in K.S.A. 44-~~  
28 ~~706(b)(2), and amendments thereto, or~~

29 ~~(2)~~ the name and address of each job applicant who has <sup>been</sup> refused  
30 employment by reason of misconduct as such term is defined in K.S.A. 44-  
31 706(b)(2), and amendments thereto; and

32 (3) such other information which may be required by the secretary.

33 (b) The report required by subsection (a) shall be submitted on a form  
34 prescribed by the secretary. Such report shall be submitted in a  
35 manner prescribed by the secretary.

36 (c) The secretary may adopt rules and regulations as are necessary to  
37 carry out the provisions of this section.

38 (d) The secretary may use any report received pursuant to this section  
39 to determine eligibility for unemployment benefits.

40 (e) This section shall be a part of and supplemental to the  
41 employment security law.

42 Sec. 4. K.S.A. 2012 Supp. 44-706 is hereby amended to read as  
43 follows: 44-706. An individual shall be disqualified for benefits: