As Introduced

133rd General Assembly
Regular Session
2019-2020
S. B. No. 156

Senator Gavarone

A BILL

To enact section 2925.15 of the Revised Code to prohibit defrauding an alcohol, drug, or urine screening test.

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

Section 1. That section 2925.15 of the Revised Code be enacted to read as follows:

Sec. 2925.15. (A) As used in this section:

(1) "Synthetic urine" means any substance that is designed to simulate the composition, chemical properties, physical appearance, or physical properties of human urine for the purpose of defrauding an alcohol, drug, or urine screening test.

(2) "Urine additive" means any substance that is designed to be added to human urine for the purpose of defrauding an alcohol, drug, or urine screening test.

(B)(1) No person shall knowingly manufacture, market, sell, distribute, use, or possess synthetic urine or a urine additive to defraud an alcohol, drug, or urine screening test.

(2) No person shall knowingly use the person's urine to defraud an alcohol, drug, or urine screening test if the
person’s urine was expelled or withdrawn before collection of
the urine specimen for the test.

(3) No person shall knowingly use the urine of another
person to defraud an alcohol, drug, or urine screening test.

(C) This section does not apply if the manufacture,
marketing, sale, distribution, use, or possession of the urine
or urine additive is solely for the purpose of education or
medical or scientific research.

(D) Whoever violates division (B) of this section is
guilty of defrauding an alcohol, drug, or urine screening test,
a misdemeanor of the second degree on a first offense and a
misdemeanor of the first degree on each subsequent offense.

(E) Except as prohibited by law, no person who collects
urine specimens for alcohol, drug, or urine screening tests who
knows or has reasonable cause to suspect that a person has used
synthetic urine or a urine additive to defraud an alcohol, drug,
or urine screening test in violation of division (B)(1) of this
section shall fail to report that knowledge or suspicion to law
enforcement authorities.

(F) Notwithstanding section 1.51 of the Revised Code, the
prosecution of a person for a violation of division (B) of this
section does not preclude prosecution of that person under
section 2921.12 of the Revised Code. An act that can be
prosecuted under this section or section 2921.12 of the Revised
Code may be prosecuted under this section, that section, or both
sections. However, if the charges are based on the same conduct
and involve the same victim, the indictment or information may
contain counts for all such offenses, but the person may be
convicted of only one.