



Alabama legislators consider welfare drug testing (update)

Published: Friday, August 19, 2011, 2:52 PM Updated: Saturday, August 20, 2011, 2:55 AM



By **The Associated Press**

MONTGOMERY, Alabama — Florida's new law requiring welfare applicants to take drug tests may get copied by Alabama, much like Arizona's immigration law did.

Republican legislators say they were working on bills similar to Florida's for the GOP-led Legislature to consider in its regular session starting Feb. 7, and they are optimistic some version will pass.

"I don't think the taxpayers should have to help fund somebody's drug habit," said Rep. Kerry Rich, R-Albertville.

At the urging of Gov. Rick Scott, Florida's Republican-led Legislature enacted a law this year requiring welfare applicants to take drug tests at their own expense. If they pass, they get reimbursed by the state. If they fail, they can't get benefits for at least a year and could face child abuse charges.

Sen. Scott Beason, R-Gardendale, introduced a similar bill in the Alabama Legislature shortly before the end of its spring session on June 9. It was too late in the session for the bill to go anywhere. Beason said it's uncertain if he will sponsor the bill in the 2012 session or someone else will do it, but he expects it to be an issue that will draw attention.

Beason can make sure that happens because he serves as chairman of the Senate Rules Committee, which recommends which bills the Senate considers each day.

"I'm sure a number of liberal groups will cry foul, but it makes common sense," he said.

Beason is no stranger to copying bills from other states. He and Rep. Micky Hammon, R-Decatur, used Arizona's immigration law as the model for writing Alabama's tough new immigration law in the last legislative session.

Rich had a bill in the last session to require random drug testing of welfare recipients. Rich said he didn't push the bill after learning that similar legislation in Michigan had been struck down in court. For 2012, he said he will offer a bill to require drug testing for welfare recipients and applicants who have any type of felony conviction or any misdemeanor conviction involving drugs.

He said that approach would be cheaper for the state than testing all applicants and it would likely turn up most of the people with drug problems.

A nonprofit group that represents the poor at the Legislature says drug testing is a bad idea and an irresponsible use of tight state resources.

"In moral or philosophical terms, mandatory drug testing presumes that all program participants are guilty until proven innocent," said Jim Carnes, communications director for the Arise Citizens' Policy Project.

He pointed to studies done in other states that have projected the cost of drug testing will equal any savings realized from keeping drug users off welfare.

He also questioned what happens to the children of a drug-using parent who is denied assistance. Beason and Rich acknowledged that's an issue they are considering as they work toward the 2012 session.

Welfare, formally known as Temporary Assistance for Needy Families, covered 22,802 Alabama families, or 54,480 people, in June, and the average benefit per family was \$189.54, according to the state Department of Human Resources.

The National Conference of State Legislatures says at least 32 states considered proposals this year focused on drug testing of welfare or food stamp recipients.

Florida was the only state to enact a law mandating testing for welfare applicants, according to the Center for Legal and Social Policy in Washington.

Missouri enacted a law last month that requires the state's social services agency to develop a program for screening welfare applicants and recipients, and then test those for whom there is reasonable cause to suspect illegal drug use. People who refuse to be checked, and those who test positive and do not complete a substance abuse program, will be ineligible for benefits through the welfare program for three years. While participating in a substance abuse program, people could keep their benefits.

In Alabama, House Speaker Mike Hubbard, R-Auburn, said Republicans are still looking for the best way to write a bill for the 2012 session but want to address the issue.

"I think most everyone agrees that there are better uses for the taxpayers' hard-earned money than subsidizing the lifestyles of those who continue to abuse drugs," Hubbard said.

Phillip Rawls of The Associated Press wrote this report.