

Effective 5/13/2014

4-10-10 Enforcement -- Inspection authorized -- Samples -- Reimbursement for samples -- Warrants.

- (1)
 - (a) The department may access public and private premises where articles subject to this chapter are manufactured, repaired, stored, or sold for the purpose of determining compliance with this chapter.
 - (b) For purposes of determining compliance, the department may:
 - (i) open any upholstered furniture, bedding, or quilted clothing to obtain a sample for inspection and analysis of filling material; or
 - (ii) if considered appropriate by the department, take the entire article for inspection and analysis.
 - (c) Upon request, the department shall reimburse the owner or person from whom a sample or article is taken in accordance with this Subsection (1) for the actual cost of the sample or article.
- (2) Upon request, the department may review and copy any of the records required under Subsection 4-10-7.3(2).
- (3) The department may proceed immediately, if admittance is refused or a record is denied, to obtain an ex parte warrant from the nearest court of competent jurisdiction to allow entry upon the premises for the purpose of making inspections and taking samples or articles.

Amended by Chapter 411, 2014 General Session