Representative **David L. Hogue** proposes the following substitute bill:

1 # MOLD AMENDMENTS

2 ## 2006 GENERAL SESSION

3 ## STATE OF UTAH

4 **Chief Sponsor:  David L. Hogue**

5 Senate Sponsor:  _____

6

7 **LONG TITLE**

8 **General Description:**

9     This bill enacts provisions within the Utah Health Code related to mold.

10 **Highlighted Provisions:**

11     This bill:

12     ▸   requires the Department of Health to prepare and make public certain information

13 relating to mold.

14 **Monies Appropriated in this Bill:**

15     None

16 **Other Special Clauses:**

17     None

18 **Utah Code Sections Affected:**

19 ENACTS:

20     **26-48-101**, Utah Code Annotated 1953

21     **26-48-102**, Utah Code Annotated 1953

22     **26-48-201**, Utah Code Annotated 1953

23

24 *Be it enacted by the Legislature of the state of Utah:*

25     Section 1.  Section **26-48-101** is enacted to read:

26                                   **CHAPTER 48.  TOXIC MOLD ACT**

27                                     **Part 1.  General Provisions**

28          **26-48-101.  Title.**

29          This chapter is known as the "Toxic Mold Act."

30          Section 2.  Section **26-48-102** is enacted to read:

31          **26-48-102.  Definitions.**

32          As used in this chapter:

33          (1)  "Department" means the Department of Health.

34          (2) (a)  "Mold" means a form of multicellular fungi that live:

35          (i)  on plant or animal matter; and

36          (ii)  in indoor environments.

37          (b)  "Mold" includes:

38          (i)  cladosporium;

39          (ii)  penicillium;

40          (iii)  alternaria;

41          (iv)  aspergillus;

42          (v)  fuarium;

43          (vi)  trichoderma;

44          (vii)  memnoniella;

45          (viii)  mucor; and

46          (ix)  stachybotrys chartarum.

47          Section 3.  Section **26-48-201** is enacted to read:

48                                   **Part 2.  Department Responsibilities**

49          **26-48-201.  Department to provide public information.**

50          (1)  The department shall  Ĥ➡ [prepare] **make available** ⬅Ĥ  information concerning:

51          (a)  the health impacts of mold on a person who occupies real property containing mold;

52    and

53          (b)  recommended practices for a person who owns or occupies real property containing

54    mold.

55          (2)  The department shall use any reasonable means to make the information  Ĥ➡ [prepared]

55a   **available** ⬅Ĥ

56    under Subsection (1) available and accessible to the public.