

**METHAMPHETAMINE DECONTAMINATION**

**STANDARDS AND FUNDING**

2008 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: D. Chris Buttars**

House Sponsor: Curtis Oda

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**LONG TITLE**

**General Description:**

This bill addresses the decontamination of property exposed to methamphetamine.

**Highlighted Provisions:**

This bill:

- ▶ defines terms;
- ▶ requires the Department of Health to adopt standards for methamphetamine decontamination;
- ▶ requires local health departments to follow standards adopted by the Department of Health in administering Title 19, Chapter 6, Part 9, Illegal Drug Operations Site Reporting and Decontamination Act;
- ▶ requires the Department of Health to conduct a public education campaign concerning the health risks of methamphetamine contamination; and
- ▶ makes technical amendments.

**Monies Appropriated in this Bill:**

This bill appropriates:

- ▶ ~~H~~→ [~~\$500,000~~] \$178,500 ←~~H~~ from the General Fund for fiscal year 2008-09 only, to the Department of Health.

**Other Special Clauses:**

This bill provides an effective date.

S.B. 209



28 **Utah Code Sections Affected:**

29 AMENDS:

30 **19-6-902**, as enacted by Laws of Utah 2004, Chapter 249

31 ENACTS:

32 **26-49-101**, Utah Code Annotated 1953

33 **26-49-201**, Utah Code Annotated 1953

34 **26-49-202**, Utah Code Annotated 1953



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

37 Section 1. Section **19-6-902** is amended to read:

38 **19-6-902. Definitions.**

39 As used in this part:

40 (1) "Board" means the Solid and Hazardous Waste Control Board, as defined in  
41 Section 19-1-106, within the Department of Environmental Quality.

42 (2) "Certified decontamination specialist" means an individual who has met the  
43 standards for certification as a decontamination specialist and has been certified by the board  
44 under Subsection 19-6-906(2).

45 (3) "Contaminated" or "contamination" means ~~§~~ :

45a (a) ~~§~~ polluted by hazardous materials that

46 cause property to be unfit for human habitation or use due to immediate or long-term health  
47 hazards ~~§~~ ; or

47a (b) that a property is polluted by hazardous materials as a result of the use, production, or  
47b presence of methamphetamine in excess of decontamination standards adopted by the  
47c Department of Health under Section 26-49-201 ~~§~~ .

48 (4) "Contamination list" means a list maintained by the local health department of  
49 properties:

50 (a) reported to the local health department under Section 19-6-903; and

51 (b) determined by the local health department to be contaminated.

52 (5) (a) "Decontaminated" means property that at one time was contaminated, but the  
53 contaminants have been removed.

54 (b) "Decontaminated" for a property that was contaminated by the use, production, or  
55 presence of methamphetamine means that the property satisfies decontamination standards  
56 adopted by the Department of Health under Section 26-49-201.

57 (6) "Hazardous materials":

58 (a) has the same meaning as "hazardous or dangerous materials" as defined in Section

59 58-37d-3; and

60 (b) includes any illegally manufactured controlled substances.

61 (7) "Health department" means a local health department under Title 26A, Local  
62 Health Authorities.

63 (8) "Owner of record":

64 (a) means the owner of real property as shown on the records of the county recorder in  
65 the county where the property is located; and

66 (b) may include an individual, financial institution, company, corporation, or other  
67 entity.

68 (9) "Property":

69 (a) means any real property, site, structure, part of a structure, or the grounds  
70 surrounding a structure; and

71 (b) includes single-family residences, outbuildings, garages, units of multiplexes,  
72 condominiums, apartment buildings, warehouses, hotels, motels, boats, motor vehicles, trailers,  
73 manufactured housing, shops, or booths.

74 (10) "Reported property" means property that is the subject of a law enforcement report  
75 under Section 19-6-903.

76 Section 2. Section **26-49-101** is enacted to read:

77 **CHAPTER 49. METHAMPHETAMINE DECONTAMINATION ACT**

78 **Part 1. General Provisions**

79 **26-49-101. Title.**

80 This chapter is known as the "Methamphetamine Decontamination Act."

81 Section 3. Section **26-49-201** is enacted to read:

82 **Part 2. Methamphetamine Decontamination**

83 **26-49-201. Scientific standards for methamphetamine decontamination.**

84 (1) The department shall make rules adopting scientifically-based standards for  
85 methamphetamine decontamination.

86 (2) A local health department, as defined in Title 26A, Local Health Authorities, shall  
87 follow rules made by the department under Subsection (1) in administering Title 19, Chapter 6,  
88 Part 9, Illegal Drug Operations Site Reporting and Decontamination Act.

89 Section 4. Section **26-49-202** is enacted to read:

90 **26-49-202. Public education concerning methamphetamine contamination.**

91 The department shall conduct a public education campaign to inform the public about  
92 potential health risks of methamphetamine contamination.

93 **Section 5. Appropriation.**

94 (1) There is appropriated from the General Fund to the Department of Health for fiscal  
95 year 2008-09 only, ~~H~~→ [\$500,000] \$178,500 ←~~H~~ for programs and activities related to  
96 methamphetamine  
97 decontamination.

98 (2) It is the intent of the Legislature that the Department of Health shall use the money  
99 appropriated in Subsection (1) for:

- 100 (a) establishing scientifically-based standards for methamphetamine decontamination;
- 101 (b) providing grants or other funding to local health departments to develop expertise  
in methamphetamine decontamination activities; and
- 102 (c) educating the public about the potential health risks of methamphetamine  
103 contamination.

104 **Section 6. Effective date.**

105 This bill takes effect on May 5, 2008, except that the amendments to Section 19-6-902  
106 take effect on July 1, 2009.

**Legislative Review Note**  
**as of 2-11-08 3:40 PM**

**Office of Legislative Research and General Counsel**

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**Fiscal Note**

**S.B. 209 - Methamphetamine Decontamination Standards and Funding - As Amended**

2008 General Session  
State of Utah

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**State Impact**

This Legislation appropriates \$178,500 from General Fund One-Time to the Department of Health in FY 2009.

	<u>FY 2008</u> <u>Approp.</u>	<u>FY 2009</u> <u>Approp.</u>	<u>FY 2010</u> <u>Approp.</u>	<u>FY 2008</u> <u>Revenue</u>	<u>FY 2009</u> <u>Revenue</u>	<u>FY 2010</u> <u>Revenue</u>
General Fund, One-Time	\$0	\$178,500	\$0	\$0	\$0	\$0
<b>Total</b>	<b>\$0</b>	<b>\$178,500</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

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**Individual, Business and/or Local Impact**

Some of this money will be given to local health departments to develop expertise in methamphetamine decontamination activities. Enactment of this bill likely will not result in direct, measurable costs and/or benefits for individuals or businesses.