

1                                   **METHAMPHETAMINE DECONTAMINATION**

2   **STANDARDS AND FUNDING**

3   2008 GENERAL SESSION

4   STATE OF UTAH

5   **Chief Sponsor: D. Chris Buttars**

6   House Sponsor: Curtis Oda

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8   **LONG TITLE**

9   **General Description:**

10           This bill addresses the decontamination of property exposed to methamphetamine.

11   **Highlighted Provisions:**

12           This bill:

13           ▶ defines terms;

14           ▶ requires the Department of Health to adopt standards for methamphetamine  
15 decontamination;

16           ▶ requires local health departments to follow standards adopted by the Department of  
17 Health in administering Title 19, Chapter 6, Part 9, Illegal Drug Operations Site  
18 Reporting and Decontamination Act;

19           ▶ requires the Department of Health to conduct a public education campaign  
20 concerning the health risks of methamphetamine contamination; and

21           ▶ makes technical amendments.

22   **Monies Appropriated in this Bill:**

23           This bill appropriates:

24           ▶ \$178,500 from the General Fund for fiscal year 2008-09 only, to the Department of  
25 Health.

26   **Other Special Clauses:**

27           This bill provides an effective date.

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

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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 Section  
41 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:

46 (a) polluted by hazardous materials that cause property to be unfit for human habitation  
47 or use due to immediate or long-term health hazards[-]; or

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

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

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

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

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

57 (b) "Decontaminated" for a property that was contaminated by the use, production, or

58 presence of methamphetamine means that the property satisfies decontamination standards  
59 adopted by the Department of Health under Section 26-49-201.

60 (6) "Hazardous materials":

61 (a) has the same meaning as "hazardous or dangerous materials" as defined in Section  
62 58-37d-3; and

63 (b) includes any illegally manufactured controlled substances.

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

66 (8) "Owner of record":

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

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

71 (9) "Property":

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

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

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

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

80 **CHAPTER 49. METHAMPHETAMINE DECONTAMINATION ACT**

81 **Part 1. General Provisions**

82 **26-49-101. Title.**

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

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

85 **Part 2. Methamphetamine Decontamination**

86 **26-49-201. Scientific standards for methamphetamine decontamination.**

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

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

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

93 **26-49-202. Public education concerning methamphetamine contamination.**

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

96 Section 5. **Appropriation.**

97 (1) There is appropriated from the General Fund to the Department of Health for fiscal  
98 year 2008-09 only, \$178,500 for programs and activities related to methamphetamine  
99 decontamination.

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

102 (a) establishing scientifically-based standards for methamphetamine decontamination;

103 (b) providing grants or other funding to local health departments to develop expertise in  
104 methamphetamine decontamination activities; and

105 (c) educating the public about the potential health risks of methamphetamine  
106 contamination.

107 Section 6. **Effective date.**

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