METHAMPHETAMINE DECONTAMINATION

STANDARDS AND FUNDING

2008 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: D. Chris Buttars

House Sponsor: Curtis Oda

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:

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

Other Special Clauses:

This bill provides an effective date.

Utah Code Sections Affected:

AMENDS:
Be it enacted by the Legislature of the state of Utah:

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

19-6-902. Definitions.

As used in this part:
(1) "Board" means the Solid and Hazardous Waste Control Board, as defined in Section 19-1-106, within the Department of Environmental Quality.
(2) "Certified decontamination specialist" means an individual who has met the standards for certification as a decontamination specialist and has been certified by the board under Subsection 19-6-906(2).
(3) "Contaminated" or "contamination" means:
   (a) polluted by hazardous materials that cause property to be unfit for human habitation or use due to immediate or long-term health hazards; or
   (b) that a property is polluted by hazardous materials as a result of the use, production, or presence of methamphetamine in excess of decontamination standards adopted by the Department of Health under Section 26-49-201.
(4) "Contamination list" means a list maintained by the local health department of properties:
   (a) reported to the local health department under Section 19-6-903; and
   (b) determined by the local health department to be contaminated.
(5) (a) "Decontaminated" means property that at one time was contaminated, but the contaminants have been removed.
   (b) "Decontaminated" for a property that was contaminated by the use, production, or
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presence of methamphetamine means that the property satisfies decontamination standards adopted by the Department of Health under Section 26-49-201.

(6) "Hazardous materials":
(a) has the same meaning as "hazardous or dangerous materials" as defined in Section 58-37d-3; and
(b) includes any illegally manufactured controlled substances.

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

(8) "Owner of record":
(a) means the owner of real property as shown on the records of the county recorder in the county where the property is located; and
(b) may include an individual, financial institution, company, corporation, or other entity.

(9) "Property":
(a) means any real property, site, structure, part of a structure, or the grounds surrounding a structure; and
(b) includes single-family residences, outbuildings, garages, units of multiplexes, condominiums, apartment buildings, warehouses, hotels, motels, boats, motor vehicles, trailers, manufactured housing, shops, or booths.

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

Section 2. Section 26-49-201 is enacted to read:

CHAPTER 49. METHAMPHETAMINE DECONTAMINATION ACT


26-49-101. Title.
This chapter is known as the "Methamphetamine Decontamination Act."

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

Part 2. Methamphetamine Decontamination

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

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

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


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

Section 5. Appropriation.

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

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

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

Section 6. Effective date.

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