

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

7

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 ▶ \$500,000 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

35

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 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.

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, \$500,000 for programs and activities related to methamphetamine
96 decontamination.

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

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

100 (b) providing grants or other funding to local health departments to develop expertise
101 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

S.B. 209 - Methamphetamine Decontamination Standards and Funding

Fiscal Note

2008 General Session
State of Utah

State Impact

This Legislation appropriates \$500,000 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	\$500,000	\$0	\$0	\$0	\$0
Total	\$0	\$500,000	\$0	\$0	\$0	\$0

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.