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Senate Bill 1113 (Substitute S-1 as reported)
Sponsor: Senator Tom George
Committee: Health Policy

CONTENT

The bill would amend the Public Health Code to require the Department of Community Health (DCH), in consultation with the Department of Environmental Quality, to develop a cleanup of clandestine drug labs guidance document, within six months after the bill's effective date. The document would have to include detailed protocols for the preliminary site assessment, remediation, and postcleanup assessment of indoor environments and structures. The DCH would have to make the document available on its website and provide a local health department, upon request, with a physical copy of the document.

The bill also would require a State or local law enforcement agency to notify the DCH and the local health department regarding the potential contamination of any property that was the site of illegal drug manufacturing, and to post a written warning on the premises. The DCH would have to determine whether the premises were likely to be contaminated and whether the contamination could constitute a hazard to the health or safety of the occupants. If the property were determined likely to be contaminated, the DCH or the local health department would have to issue an order requiring the premises to be vacated until the property owner established that the property was decontaminated or the risk of likely contamination ceased to exist. Within six months after the bill's effective date, the DCH would have to promulgate rules and procedures necessary to implement these provisions.

MCL 333.12103

Legislative Analyst: Suzanne Lowe

FISCAL IMPACT

The Department of Community Health has indicated that it currently does not have staff with the expertise to make determinations on whether property used for the manufacture of illegal drugs is contaminated. Because of this current lack of expertise, the State would see an indeterminate increase in administrative cost associated with the hiring of new staff or training of existing employees to fulfill this requirement in the bill. The State also would see a small increase in administrative cost associated with the creation and distribution of a guidance document and rules and procedures for the proper cleanup of suspected illegal drug sites.

Local health departments that are not currently providing guidance to law enforcement related to the cleanup of illegal drug sites also could see an indeterminate increase in cost.

Date Completed: 3-23-06

Fiscal Analyst: David Fosdick

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Analysis available @ <http://www.michiganlegislature.org>

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