



Senate Fiscal Agency
P. O. Box 30036
Lansing, Michigan 48909-7536



BILL ANALYSIS

Telephone: (517) 373-5383
Fax: (517) 373-1986
TDD: (517) 373-0543

House Bill 5798 (Substitute S-1 as reported)
Sponsor: Representative Tonya Schuitmaker
House Committee: Health Policy
Senate Committee: Health Policy

CONTENT

The bill would amend the Public Health Code to do the following:

- Transfer the responsibility for serving as the State's environmental health agency from the Department of Community Health (DCH) to the Department of Environmental Quality (DEQ).
- Require the DCH, in consultation with the DEQ, to develop a cleanup of clandestine drug labs guidance document within six months after the bill's effective date.
- Prescribe procedures that law enforcement agencies, the DCH, and local health departments would have to follow after the discovery of an illegal drug manufacturing site; and require the DCH to promulgate rules and procedures necessary to implement these provisions within six months after the bill's effective date.

Within 48 hours of discovery, a State or local law enforcement agency would have to notify the local health department and the DCH regarding the potential contamination of any property was or had been the site of illegal drug manufacturing. Within 14 days after receiving the notification, or as soon after as practically possible, the DCH, in cooperation with the local health department, 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 those who might occupy the premises.

If the property were determined likely to be contaminated, the local health department or the DCH would have to issue an order requiring the property to be vacated until the owner established that it was decontaminated or the risk of likely contamination ceased to exist.

MCL 333.12103

Legislative Analyst: Julie Koval

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. The Department has estimated it would need to hire an additional 2 FTEs to meet the requirements of the bill. Assuming an average cost of \$70,000 in salary, wages, and support for each additional FTE, this could increase administrative costs by about \$140,000 GF/GP. 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: 5-19-06

Fiscal Analyst: David Fosdick/Jessica Runnels