

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

State of Arkansas
85th General Assembly
Regular Session, 2005

As Engrossed: S3/21/05

A Bill

SENATE BILL 1008

By: Senator Broadway

For An Act To Be Entitled

AN ACT TO REQUIRE A STUDY CONCERNING INSPECTION AND CLEANUP OF PROPERTIES WHERE CONTROLLED SUBSTANCES HAVE BEEN MANUFACTURED; AND FOR OTHER PURPOSES.

Subtitle

AN ACT TO REQUIRE A STUDY CONCERNING INSPECTION AND CLEANUP OF PROPERTIES WHERE CONTROLLED SUBSTANCES HAVE BEEN MANUFACTURED.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. (a) There is created the Manufactured Drug Inspection and Cleanup Study Committee.

(b) The committee shall be composed of the directors or the directors' designees of the following state agencies that shall jointly conduct the study required under subsection (d) of this section:

(1) Arkansas Department of Environmental Quality;

(2) Department of Health;

(3) Arkansas Manufactured Home Commission;

(4) Arkansas Landlord's Association;

(5) State Crime Laboratory;

(6) Arkansas Drug Director; and

(7) Department of Arkansas State Police.

(c)(1) The following entities may participate in the committee:

(A) Arkansas Chiefs of Police Association;



- (B) Arkansas Hospitality Association;
- (C) Arkansas Manufactured Housing Association;
- (D) Arkansas Realtors Association; and
- (E) Arkansas Sheriffs Association.

(2) If any entity listed in subdivision (c)(1) of this section joins the committee, that entity shall be included as a full partner in all matters before the committee.

(d)(1) The committee shall conduct a study concerning inspection and cleanup of properties where controlled substances have been manufactured.

(2) The study shall determine what guidelines should be established for inspection and cleanup of structures where controlled substances, as defined in the Uniform Controlled Substances Act, § 5-64-101 et seq., have been manufactured and initial cleanup has been performed by law enforcement agencies, including:

(A) Certification and guidelines for private entities that undertake inspections of contaminated properties;

(B) Certification and guidelines for private entities that undertake remediation or removal, or both, of contaminated materials from contaminated properties;

(C) Guidelines for appropriate recordkeeping by the Department of Health or another appropriate governmental entity with respect to:

(i) A listing of contaminated properties;

(ii) Inclusion of property on the contaminated properties list;

(iii) The results of cleanup of contaminated properties and removal of a structure from the contaminated property list; and

(iv) Access to the records created under subdivisions (d)(2)(C)(i) - (iii) of this section by potential purchasers of contaminated properties; and

(D) Guidelines for steps to be taken by property owners for removal of a structure from the contaminated property list.

(e) The committee shall report its findings to the Legislative Council on or before January 1, 2006.

(2) The report shall include, but not be limited to:

1 (A) A summary of all of the certification and guidelines
2 developed under subsection (d) of this section; and

3 (B) A determination concerning whether, with respect to
4 inspection and cleanup of contaminated properties:

5 (i) Legislation should be enacted by the General
6 Assembly; or

7 (ii) Regulatory action should be taken by the
8 Department of Health or another appropriate governmental entity under
9 existing law.

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11 /s/ Broadway
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