

1 HOUSE BILL NO. 381

2 INTRODUCED BY L. BREWSTER

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4 A BILL FOR AN ACT ENTITLED: "AN ACT CLARIFYING THAT LAW ENFORCEMENT SHALL REPORT ALL
5 INHABITABLE PROPERTIES CONTAMINATED BY METHAMPHETAMINE; AND AMENDING SECTION 75-
6 10-1306, MCA."

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8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

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10 Section 1. Section 75-10-1306, MCA, is amended to read:

11 "75-10-1306. Reporting requirements. (1) Whenever a state or local law enforcement agency
12 becomes aware that an inhabitable property has been contaminated by its use as a clandestine
13 methamphetamine drug lab or has been contaminated from smoke from the use of methamphetamine, the
14 agency shall report the contamination to the department and to the local health officer.

15 (2) The department shall maintain a list of inhabitable property that has been reported as
16 contaminated, and the list must be made available to the public through a website except as provided in
17 subsection (3).

18 (3) Upon confirmation by the department that an inhabitable property has been properly
19 remediated to the standards established in 75-10-1303 or that the inhabitable property meets the
20 decontamination standards without decontamination, the department shall remove the inhabitable property from
21 the list required in subsection (2). The department shall provide written notification to the local health officer and
22 the property owner of record when the documentation shows that the inhabitable property has been properly
23 assessed or remediated.

24 (4) The department may adopt rules establishing reasonable requirements for the sufficiency of
25 documentation to be provided by a certified contractor.

26 (5) Notwithstanding any other provision of law, once an inhabitable property has been removed
27 from the list required in subsection (2), a property owner, landlord, or real estate agent is not required to report
28 or otherwise disclose the past contamination."

Amendment - 1st Reading-white - Requested by: Llew Jones - (H) Appropriations

- 2023

68th Legislature 2023

Drafter: Julie Johnson, 406-444-4024

HB0381.001.004

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NEW SECTION. **Section 2. Legislative intent.** It is the intent of the legislature that the agency perform the functions amended in [section 1] within existing resources.

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- END -

AMENDED