



94TH GENERAL ASSEMBLY

State of Illinois

2005 and 2006

HB3532

Introduced 2/23/2005, by Rep. Donald L. Moffitt

SYNOPSIS AS INTRODUCED:

20 ILCS 2605/2605-211 new
415 ILCS 5/22.50 new

Amends the Department of State Police Law of the Civil Administrative Code of Illinois and the Environmental Protection Act. Provides that the Department of State Police and the Environmental Protection Agency shall jointly develop a protocol to be followed in determining whether a dwelling, structure, or other site at which methamphetamine had been illegally manufactured may again be safely put to its intended legal use. Provides that the Department of State Police and the Environmental Protection Agency must develop the protocol by January 1, 2006 and post the protocol on their official Web sites. Provides that the owner or lessor of a dwelling, structure, or other site at which methamphetamine had been illegally manufactured without the knowledge of the owner or lessor is immune from any civil liability that may result from conditions arising from the illegal manufacture of methamphetamine if the owner or lessor cleaned up the dwelling, structure, or other site in accordance with the protocol.

LRB094 02461 WGH 32462 b

FISCAL NOTE ACT
MAY APPLY

1 AN ACT concerning methamphetamine.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Department of State Police Law of the Civil
5 Administrative Code of Illinois is amended by adding Section
6 2605-211 as follows:

7 (20 ILCS 2605/2605-211 new)

8 Sec. 2605-211. Protocol; methamphetamine; illegal
9 manufacture.

10 (a) The Department of State Police and the Environmental
11 Protection Agency shall jointly develop a protocol to be
12 followed in determining whether a dwelling, structure, or other
13 site at which methamphetamine had been illegally manufactured
14 may again be safely put to its intended legal use, including
15 but not limited to standards for the removal of contaminants in
16 and around the dwelling, structure, or other site, remediation
17 of plumbing systems and ventilation systems, and abatement of
18 any other substantial danger to health and safety.

19 (b) The Department of State Police and the Environmental
20 Protection Agency must develop the protocol by January 1, 2006.

21 (c) The Department of State Police and the Environmental
22 Protection Agency must each post the protocol on their official
23 Web sites.

24 (d) The owner or lessor of a dwelling, structure, or other
25 site at which methamphetamine had been illegally manufactured
26 without the knowledge of the owner or lessor is immune from any
27 civil liability that may result from conditions arising from
28 the illegal manufacture of methamphetamine at the dwelling,
29 structure, or other site if the owner or lessor cleaned up the
30 dwelling, structure, or other site in accordance with the
31 protocol developed under this Section.

1 Section 10. The Environmental Protection Act is amended by
2 adding Section 22.50 as follows:

3 (415 ILCS 5/22.50 new)

4 Sec. 22.50. Protocol; methamphetamine; illegal
5 manufacture. The Environmental Protection Agency shall
6 cooperate with the Department of State Police in developing the
7 protocol required under Section 2605-211 of the Department of
8 State Police Law of the Civil Administrative Code of Illinois.