

By: Representative Gipson

To: Judiciary B

HOUSE BILL NO. 1080

1 AN ACT TO CREATE "THE MISSISSIPPI URINE TROUBLE ACT"; TO
2 PROHIBIT THE CRIME OF SELLING, TRANSFERRING, MARKETING OR GIVING
3 AWAY URINE FOR THE PURPOSE OF ADULTERATING A HUMAN URINE SAMPLE
4 FOR A CHEMICAL TEST; TO PROVIDE PENALTIES FOR SUCH CRIME; AND FOR
5 RELATED PURPOSES.

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

7 **SECTION 1.** This act shall be known and referred to as "The
8 Mississippi Urine Trouble Act."

9 **SECTION 2.** (1) As used in this section, "adulterant" means
10 a substance that is not expected to be in human urine or another
11 human bodily fluid or a substance expected to be present in human
12 urine or another human bodily fluid but that is at a concentration
13 so high that it is not consistent with human urine or another
14 human bodily fluid, including without limitation:

- 15 (a) Bleach;
- 16 (b) Chromium;
- 17 (c) Creatinine;
- 18 (d) Detergent;
- 19 (e) Glutaraldehyde;



- 20 (f) Glutaraldehyde/squalene;
- 21 (g) Hydrochloric acid;
- 22 (h) Hydroiodic acid;
- 23 (i) Iodine;
- 24 (j) Nitrite;
- 25 (k) Peroxidase;
- 26 (l) Potassium dichromate;
- 27 (m) Potassium nitrite;
- 28 (n) Pyridinium chlorochromate; and
- 29 (o) Sodium nitrite.

30 (2) It is unlawful for a person to:

31 (a) Sell, give away, distribute, or market human or
32 synthetic urine in this state or transport human or synthetic
33 urine into this state with the intent of using the human or
34 synthetic urine to defraud or cause deceitful results in a drug or
35 alcohol screening test;

36 (b) Attempt to defeat or interfere with the results of
37 a drug or alcohol screening test by substituting synthetic urine
38 or substituting or spiking a human urine sample or by advertising
39 urine sample substitution or human urine spiking devices or
40 measures;

41 (c) Possess adulterants which are intended to be used
42 to adulterate a human urine sample or other human bodily fluid
43 sample for the purpose of defrauding or causing deceitful results
44 in a drug or alcohol screening test; or



45 (d) Sell or market an adulterant with the intent by the
46 seller or marketer that the product be used to adulterate a human
47 urine sample or other human bodily fluid sample for the purpose of
48 defrauding or causing deceitful results in a drug or alcohol
49 screening test.

50 (3) There shall be a rebuttable presumption of intent to
51 defraud or obtain deceitful results in a drug or alcohol screening
52 test if:

53 (a) A heating element or any other device used to
54 thwart a drug screening test accompanies the sale, giving,
55 distribution, or marketing of human or synthetic urine; or

56 (b) Instructions that provide a method for thwarting a
57 drug screening test accompany the sale, giving, distribution, or
58 marketing of human or synthetic urine.

59 (4) Upon conviction, a person who violates this act is
60 guilty of a misdemeanor and shall be subject to a fine of Five
61 Hundred Dollars (\$500.00), imprisonment for three (3) months, or
62 both.

63 (5) Nothing in this act shall be construed to encourage,
64 conflict, or otherwise interfere with the preemption of state and
65 local laws under federal laws or United States Department of
66 Transportation regulations related to drug testing procedures and
67 confidentiality.

68 **SECTION 3.** This act shall take effect and be in force from
69 and after July 1, 2018.

