

## Proposed Utah legislation would criminalize the use of fake urine and other methods for duping a drug test



(Steve Griffin | Tribune file photo) Rep. Steve Eliason, R-Sandy, discusses a bill during the House Revenue and Taxation Standing Committee the State Capitol in Salt Lake City, March 6, 2017.

[By Benjamin Wood](#)

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Utahns could face a misdemeanor for using fake urine, someone else's urine or their own stored urine to beat an alcohol or drug-screening test under legislation sponsored by Rep. Steve Eliason, R-Sandy. The bill would also prohibit the sale and distribution of synthetic urines and adulterant products that are added to urine to dilute or alter a person's test sample.

"If they're faking it," Eliason said, "then they're fooling themselves and the public at large." Eliason said he was prompted to run the bill after reading about similar efforts in other states — such as [Mississippi's so-called "Urine Trouble" bill](#) — and after researching Utah's current statutes on

defrauding drug tests. While a person can face professional or administrative penalties for a false urine sample, Eliason said, there's currently no legal consequence for attempting to defraud the tests. He said drug and alcohol screenings play a role in public safety — with the tests sometimes administered to bus and truck drivers, medical professionals or heavy-equipment operators — and are commonly used as part of addiction-treatment programs.

"My intent with this legislation is not to be punitive," Eliason said. "I want to see people succeed in treatment and step out of their addiction."

But the law would seemingly apply to any situation in which drug tests are administered, such as private employment or the participation of high school students in athletics or other extracurricular activities. Jason Groth, Smart Justice coordinator for the American Civil Liberties Union of Utah, said there are already evidence-tampering laws in place for drug tests in a criminal justice context and that administrative solutions — like observed urine tests or other methods of drug screening — can be used to bolster the accuracy of tests in noncriminal justice situations. "It doesn't make sense to create more laws," Groth said.

He also questioned why the proposed penalties for duping a drug test or distributing fake urine are so high if the intent of the legislation is to encourage individuals to honestly complete addiction treatment. "It creates consequences that can be as great, or greater, than possessing an illegal drug," Groth said. Synthetic urine is readily available for purchase online, with many of those companies specifically boasting of their ability to dupe drug tests. One such company, Quick Fix, offers a 2-ounce container for \$29.95 or 3 ounces for \$39.95.

The Quick Fix website also includes instructional videos for beating a drug test — including microwaving its product for 10 seconds and attaching a hot pack via rubber band to maintain a natural temperature — and offers supplemental products for purchase like a belt, underwear or leg strap to surreptitiously transport bottles of fake urine.

"Congratulations, you have passed the test," a voice narration says at the end of the Quick Fix instructional video. "This is a novelty product and not to be used for any illegal purposes." Eliason said he purchased a container of Quick Fix to demonstrate the ease of obtaining synthetic urine during a recent committee hearing on his bill. His legislation includes exceptions for possessing fake urine for educational, medical or scientific purposes.

"As soon as the bill passes," Eliason said, "I probably ought to dispose of it."