

1 AN ACT

2 relating to the prevention of childhood lead poisoning.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

4 SECTION 1. This Act may be known as the Childhood Lead
5 Poisoning Prevention Act.

6 SECTION 2. (a) The Childhood Lead Poisoning Prevention Act
7 represents an effort by this state to prioritize education,
8 screening, and the overall prevention of childhood lead poisoning.
9 Nearly one million American children may have levels of lead in
10 their blood in excess of 10 micrograms per deciliter. Unless
11 prevented or treated, elevated blood lead levels in egregious cases
12 may result in impairment of the ability to think, concentrate, and
13 learn. In addition, increased numbers of affected children result
14 in increased recurring expenses for the state in the form of special
15 education and other educational expenses, medical care for
16 lead-poisoned children, and expenditures for delinquent youth and
17 others needing special supervision.

18 (b) A significant cause of lead poisoning in children is the
19 ingestion of lead particles from deteriorating or abraded
20 lead-based paint from older, poorly maintained residences. The
21 dangers posed by lead-based paint can be substantially reduced and
22 largely eliminated by taking measures to prevent paint
23 deterioration and by limiting children's exposure to paint chips
24 and lead dust.

1 (c) The incidence of childhood lead poisoning can be reduced
2 substantially without significant additional cost to the state by
3 creating appropriate incentives for property owners to make their
4 properties lead-free or lead-safe and by targeting existing state
5 resources.

6 SECTION 3. Section 88.001, Health and Safety Code, is
7 amended by adding Subdivision (12) to read as follows:

8 (12) "Board" means the Texas Board of Health.

9 SECTION 4. Chapter 88, Health and Safety Code, is amended by
10 adding Section 88.0025 to read as follows:

11 Sec. 88.0025. CHILDHOOD LEAD POISONING PREVENTION. The
12 board may implement policies and procedures to promote the
13 elimination of childhood lead poisoning within the state. The
14 board may adopt measures to:

15 (1) significantly reduce the incidence of childhood
16 lead poisoning throughout the state;

17 (2) improve public awareness of lead safety issues and
18 educate both property owners and tenants about practices that can
19 reduce the incidence of lead poisoning; and

20 (3) encourage the testing of children likely to suffer
21 the consequences of lead poisoning so that prompt diagnosis and
22 treatment and the prevention of harm are possible.

23 SECTION 5. This Act takes effect September 1, 2003.

President of the Senate

Speaker of the House

I certify that H.B. No. 3264 was passed by the House on May 16, 2003, by a non-record vote.

Chief Clerk of the House

I certify that H.B. No. 3264 was passed by the Senate on May 28, 2003, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor