

By: Hunter

H.B. No. 3264

A BILL TO BE ENTITLED

AN ACT

relating to the prevention of childhood lead poisoning.

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

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

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

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

1 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. Chapter 88, Health and Safety Code, is amended by
7 adding Section 88.001(12) to read as follows:

8 Sec. 88.001. DEFINITIONS.

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

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

12 Sec. 88.0025. CHILDHOOD LEAD POISONING PREVENTION. (a)

13 The Board shall implement policies and procedures to promote the
14 elimination of childhood lead poisoning within the state. The
15 Board shall adopt measures to:

16 (1) significantly reduce the incidence of childhood
17 lead poisoning throughout the state.

18 (2) encourage procedures that increase the supply of
19 affordable rental housing throughout the state in which measures
20 have been taken to substantially reduce the incidence of lead
21 poisoning.

22 (3) improve public awareness of lead safety issues and
23 educate both property owners and tenants about practices that can
24 reduce the incidence of lead poisoning.

25 (4) encourage mechanisms that aid in the protection
26 from potentially ruinous tort actions for those landlords who
27 undertake specified lead hazard reduction measures.

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

4 (6) develop a mechanism to facilitate prompt payment
5 of medical and rehabilitation expenses and relocation costs for
6 those remaining individuals who are affected by childhood lead
7 poisoning.

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