

1 AN ACT concerning environmental protection.

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

4 Section 5. The Lead Poisoning Prevention Act is amended  
5 by adding Section 11.05 as follows:

6 (410 ILCS 45/11.05 new)

7 Sec. 11.05. Advisory Council.

8 (a) The General Assembly finds the following:

9 (1) Lead-based paint poisoning is a potentially  
10 devastating but preventable disease and is the number one  
11 environmental threat to children's health in the United  
12 States.

13 (2) The number of lead-poisoned children in  
14 Illinois is among the highest in the nation, especially  
15 in older, affordable properties.

16 (3) Lead poisoning causes irreversible damage to  
17 the development of a child's nervous system. Even at low  
18 and moderate levels, lead poisoning causes learning  
19 disabilities, speech problems, shortened attention span,  
20 hyperactivity, and behavioral problems. Recent research  
21 links high levels of lead exposure to lower IQ scores and  
22 to juvenile delinquency.

23 (4) Older housing is the number one risk factor for  
24 childhood lead poisoning. Properties built before 1950  
25 are statistically much more likely to contain lead-based  
26 paint hazards than buildings constructed more recently.

27 (5) Illinois ranks 10th out of the 50 states in the  
28 age of its housing stock. More than 50% of the housing  
29 units in Chicago and in Rock Island, Peoria, Macon,  
30 Madison, and Kankakee counties were built before 1960 and  
31 more than 43% of the housing units in St. Clair,

1 Winnebago, Sangamon, Kane, and Cook counties were built  
2 before 1950.

3 (6) There are nearly 1.4 million households with  
4 lead-based paint hazards in Illinois.

5 (7) Most children are lead-poisoned in their own  
6 homes through exposure to lead dust from deteriorated  
7 lead-paint surfaces, like windows, and when lead paint  
8 deteriorates or is disturbed through home renovation and  
9 repainting.

10 (8) While less than 30% of children 6 years of age  
11 and under have been tested for lead poisoning, the  
12 counties with the highest number of children known to be  
13 lead-poisoned are: Kankakee (28%), Macon (19%), Cook  
14 (17%), Peoria (17%), Rock Island (15%), St. Clair (14%),  
15 Madison, Sangamon, and Kane counties (11%), and Winnebago  
16 (10%).

17 (9) The control of lead hazards significantly  
18 reduces lead poisoning rates. Other communities,  
19 including New York City and Milwaukee, have successfully  
20 reduced lead poisoning rates by removing lead-based paint  
21 hazards on windows.

22 (10) Windows are considered a higher lead exposure  
23 risk more often than other components in a housing unit.  
24 Windows are a major contributor of lead dust in the home,  
25 due to both weathering conditions and friction effects on  
26 paint.

27 (11) There is an insufficient pool of licensed lead  
28 abatement workers and contractors to address the problem  
29 in some areas of the State.

30 (12) Training, insurance, and licensing costs for  
31 lead removal workers are prohibitively high.

32 (13) Through grants from the United States  
33 Department of Housing and Urban Development, some  
34 communities in Illinois have begun to reduce lead

1 poisoning of children. While this is an ongoing effort,  
2 it addresses only a small number of the low-income  
3 children statewide in communities with high levels of  
4 lead paint in the housing stock.

5 (b) For purposes of this Section:

6 "Advisory Council" means the Lead-Safe Housing Advisory  
7 Council created under subsection (c).

8 "Lead-Safe Housing Maintenance Standards" or "Standards"  
9 means standards developed by the Advisory Council pursuant to  
10 this Section.

11 "Low-income" means a household at or below 80% of the  
12 median income level for a given county as determined annually  
13 by the United States Department of Housing and Urban  
14 Development.

15 (c) The Lead-Safe Housing Advisory Council is created to  
16 advise the Department on the administration of this Act. The  
17 Advisory Council shall be chaired by the Director or his or  
18 her designee and provided with administrative support by the  
19 Department. The Advisory Council shall be comprised of (i)  
20 the directors, or their designees, of the Illinois Housing  
21 Development Authority and the Environmental Protection  
22 Agency; and (ii) the directors, or their designees, of  
23 public health departments of counties identified by the  
24 Department that contain communities with a concentration of  
25 high-risk, lead-contaminated properties.

26 The Advisory Council shall also include the following  
27 members appointed by the Governor:

28 (1) One representative from the Illinois  
29 Association of Realtors.

30 (2) One representative from the insurance industry.

31 (3) Two pediatricians or other physicians with  
32 knowledge of lead-paint poisoning.

33 (4) Two representatives from the private-sector,  
34 lead-based-paint-abatement industry who are licensed in

1 Illinois as an abatement contractor, worker, or risk  
2 assessor.

3 (5) At least 3 lead-safe housing advocates,  
4 including (i) the parent of a lead-poisoned child,  
5 (ii) a representative from a child advocacy  
6 organization, and (iii) a representative from a tenant  
7 housing organization.

8 The Advisory Council shall identify high-risk communities  
9 with a concentration of lead-contaminated properties to the  
10 Department, based upon the prevalence of low-income families  
11 whose children are lead-poisoned, the age of the housing  
12 stock, and other sources of funding available to the  
13 community to address lead-paint housing hazards.

14 Within 6 months after its formation, the Advisory Council  
15 shall recommend to the Department Lead-Safe Housing  
16 Maintenance Standards, which shall delineate the  
17 responsibilities of property owners and tenants in  
18 maintaining lead-safe housing. Except for properties in which  
19 all lead-based paint has been removed, the Standards shall  
20 prescribe special cleaning, repair, and maintenance necessary  
21 to reduce the chance that properties will cause lead  
22 poisoning in child occupants. The Department shall adopt  
23 rules based upon the Standards.

24 The Advisory Council shall develop handbooks for property  
25 owners and tenants explaining the Standards and State and  
26 federal requirements for lead-safe housing.

27 The Advisory Council shall meet at least quarterly. Its  
28 members shall receive no compensation for their services, but  
29 their reasonable travel expenses actually incurred shall be  
30 reimbursed by the Department.

31 The Advisory Council shall submit an annual written  
32 report to the Governor and the General Assembly on the  
33 operation and effectiveness of the Act. The report shall:

34 (1) Evaluate the effectiveness of the Act in

1 reducing the prevalence of lead poisoning in children in  
2 high-risk communities and in training and employing  
3 persons in those communities to prevent and control lead  
4 poisoning.

5 (2) Describe the number of units in which  
6 lead-based paint has been abated.

7 (3) Specify the types of work completed and the  
8 types of dwellings and demographics of persons assisted.

9 (4) Summarize the cost of lead-based paint hazard  
10 control, rent increases or decreases in high-risk  
11 communities, rental property ownership changes, and any  
12 other actions taken by the Department or the Advisory  
13 Council.

14 (5) Recommend any necessary legislation or  
15 rule-making to improve the effectiveness of State and  
16 local programs in lead abatement and other prevention and  
17 control activities.