

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) The control of lead hazards significantly
11 reduces lead poisoning rates. Other communities,
12 including New York City and Milwaukee, have successfully
13 reduced lead poisoning rates by removing lead-based paint
14 hazards on windows.

15 (9) Windows are considered a higher lead exposure
16 risk more often than other components in a housing unit.
17 Windows are a major contributor of lead dust in the home,
18 due to both weathering conditions and friction effects on
19 paint.

20 (10) There is an insufficient pool of licensed lead
21 abatement workers and contractors to address the problem
22 in some areas of the State.

23 (11) Training, insurance, and licensing costs for
24 lead removal workers are prohibitively high.

25 (12) Through grants from the United States
26 Department of Housing and Urban Development, some
27 communities in Illinois have begun to reduce lead
28 poisoning of children. While this is an ongoing effort,
29 it addresses only a small number of the low-income
30 children statewide in communities with high levels of
31 lead paint in the housing stock.

32 (b) For purposes of this Section:

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

1 "Lead-Safe Housing Maintenance Standards" or "Standards"
2 means standards developed by the Advisory Council pursuant to
3 this Section.

4 "Low-income" means a household at or below 80% of the
5 median income level for a given county as determined annually
6 by the United States Department of Housing and Urban
7 Development.

8 "Primary prevention" means removing lead hazards before a
9 child is poisoned rather than relying on identification of a
10 lead poisoned child as the triggering event.

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

23 The Advisory Council shall also include the following
24 members appointed by the Governor:

25 (1) One representative from the Illinois
26 Association of Realtors.

27 (2) One representative from the insurance industry.

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

30 (4) Two representatives from the private-sector,
31 lead-based-paint-abatement industry who are licensed in
32 Illinois as an abatement contractor, worker, or risk
33 assessor.

34 (5) Two representatives from community based

1 organizations in communities with a concentration of high
2 risk lead contaminated properties. High-risk communities
3 shall be identified based upon the prevalence of
4 low-income families whose children are lead poisoned and
5 the age of the housing stock.

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

11 Within 9 months after its formation, the Advisory Council
12 shall submit a written report to the Governor and the General
13 Assembly on:

14 (1) developing a primary prevention program for
15 addressing lead poisoning;

16 (2) developing a sufficient pool of lead abatement
17 workers and contractors;

18 (3) targeting blood lead screening to children
19 residing in high-risk buildings and neighborhoods;

20 (4) ensuring lead-safe work practices in all
21 remodeling, rehabilitation, and weatherization work;

22 (5) funding mechanisms to assist residential
23 property owners in costs of lead abatement and
24 mitigation;

25 (6) providing insurance subsidies to licensed lead
26 abatement contractors who target their work to high-risk
27 communities; and

28 (7) developing any necessary legislation or
29 rulemaking to improve the effectiveness of State and
30 local programs in lead abatement and other prevention and
31 control activities.

32 The Advisory Council shall develop handbooks and training
33 for property owners and tenants explaining the Standards and
34 State and federal requirements for lead-safe housing.

1 The Advisory Council shall meet at least quarterly. Its
2 members shall receive no compensation for their services, but
3 their reasonable travel expenses actually incurred shall be
4 reimbursed by the Department.