

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.