

1 AN ACT concerning public health.

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 by
5 changing Section 11.05 as follows:

6 (410 ILCS 45/11.05)

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 Illinois is
14 among the highest in the nation, especially in older,
15 affordable properties.

16 (3) Lead poisoning causes irreversible damage to the
17 development of a child's nervous system. Even at low and
18 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 are
25 statistically much more likely to contain lead-based paint
26 hazards than buildings constructed more recently.

27 (5) Illinois ranks 10th out of the 50 states in the age
28 of its housing stock. More than 50% of the housing units in
29 Chicago and in Rock Island, Peoria, Macon, Madison, and
30 Kankakee counties were built before 1960 and more than 43%
31 of the housing units in St. Clair, Winnebago, Sangamon,
32 Kane, and Cook counties were built before 1950.

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

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

7 (8) The control of lead hazards significantly reduces
8 lead poisoning rates. Other communities, including New
9 York City and Milwaukee, have successfully reduced lead
10 poisoning rates by removing lead-based paint hazards on
11 windows.

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

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

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

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

27 (b) For purposes of this Section:

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

30 "Lead-Safe Housing Maintenance Standards" or "Standards"
31 means standards developed by the Advisory Council pursuant to
32 this Section.

33 "Low-income" means a household at or below 80% of the
34 median income level for a given county as determined annually
35 by the United States Department of Housing and Urban
36 Development.

1 "Primary prevention" means removing lead hazards before a
2 child is poisoned rather than relying on identification of a
3 lead poisoned child as the triggering event.

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

16 The Advisory Council shall also include the following
17 members appointed by the Governor:

18 (1) One representative from the Illinois Association
19 of Realtors.

20 (2) One representative from the insurance industry.

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

23 (4) Two representatives from the private-sector,
24 lead-based-paint-abatement industry who are licensed in
25 Illinois as an abatement contractor, worker, or risk
26 assessor.

27 (5) Two representatives from community based
28 organizations in communities with a concentration of high
29 risk lead contaminated properties. High-risk communities
30 shall be identified based upon the prevalence of low-income
31 families whose children are lead poisoned and the age of
32 the housing stock.

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

1 (7) One representative from the Illinois paint and
2 coatings industry.

3 Within 9 months after its formation, the Advisory Council
4 shall submit a written report to the Governor and the General
5 Assembly on:

6 (1) developing a primary prevention program for
7 addressing lead poisoning;

8 (2) developing a sufficient pool of lead abatement
9 workers and contractors;

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

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

14 (5) funding mechanisms to assist residential property
15 owners in costs of lead abatement and mitigation;

16 (6) providing insurance subsidies to licensed lead
17 abatement contractors who target their work to high-risk
18 communities; and

19 (7) developing any necessary legislation or rulemaking
20 to improve the effectiveness of State and local programs in
21 lead abatement and other prevention and control
22 activities.

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

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

30 (Source: P.A. 93-348, eff. 1-1-04.)