

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.)

31          Section 99. Effective date. This Act takes effect upon  
32          becoming law.