

SENATE NO. 1231

AN ACT PROTECTING CHILDREN FROM LEAD POISONING

*Be it enacted by the Senate and House of Representatives in General Court assembled,
And by the authority of the same, as follows:*

1 SECTION 1. Section 194 of chapter 111 of the General Laws, as appearing in the 2004 Edition, is
2 hereby amended by inserting, following the third sentence, the following: Said program shall also, to
3 the extent permitted by appropriations, locate all premises where the soil surrounding the premises
4 and/or the tap water available in the building contain dangerous levels of lead.

5 Section 2. Section 197 of chapter 111 is hereby amended in subsection (a) by striking the
6 words “paint, plaster or other accessible structural material” and inserting in place thereof the words:
7 paint, plaster, other accessible structural material, tap water, or soil.

8 Section 3. Section 197 of chapter 111 is hereby amended in subsection (c) following the words
9 “inspector shall issue a letter of full compliance for said premises.” the following: Letters of
10 compliance shall be valid for two years from the date of issuance. A post compliance inspection is
11 required to renew a letter of compliance for an additional two year period.

12 Section 4. Section 197A of chapter 111 is hereby amended by inserting following the first
13 sentence in section (b) the words: All persons selling properties constructed on or before January 1,
14 1978 shall be required to conduct an inspection for dangerous levels of lead at their expense prior to
15 the signing of the purchase and sales agreement.

16 Section 5. Section 197A of chapter 111 is hereby amended by inserting after the last sentence
17 in section (d) the words: All rental units in buildings constructed prior to January 1, 1978 shall be
18 inspected for dangerous levels of lead prior to a change in occupancy or once in a two year period,
19 whichever is less.

20 Section 6. Section 194 of chapter 111 is hereby amended by striking the words “case of lead
21 poisoning” in the first sentence of the fourth paragraph and inserting in place thereof the words: a case
22 of a child under the age of six with a lead level of ten micrograms or more of lead per deciliter in their
23 blood.

24 Section 7. The Department of Public Health is hereby authorized and directed to conduct a
25 study in cooperation with one or more nonprofit organizations of the existing deleading procedures to
26 determine if any additional practices should be required and to consider the effectiveness of Moderate
27 Risk deleading to determine if property owners or their agents should be required to conduct additional
28 actions to protect public health from lead paint exposure.

29 Section 8. Any property which was issued a letter of compliance pursuant to section 197 of
30 chapter 111 more than two years prior to the effective date of this act shall be required to conduct a
31 post-compliance inspection to renew the letter of compliance.