

By Mr. Fitzgerald of Boston, petition of Kevin W. Fitzgerald and Kevin G. Honan relative to establishing a fund to assist local housing authorities and owners of private property receiving federal or state rental subsidies to remove lead-based paint. Health Care.

**The Commonwealth of Massachusetts**

In the Year One Thousand Nine Hundred and Eighty-Eight.

AN ACT ESTABLISHING A FUND TO ASSIST LOCAL HOUSING AUTHORITIES AND OWNERS OF PRIVATE PROPERTY RECEIVING FEDERAL OR STATE RENTAL SUBSIDY TO REMOVE LEAD-BASED PAINT.

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

1 Chapter III is hereby amended by inserting the following as  
2 Section 199A

3 In addition to such sums as the department of public health may  
4 from time to time be authorized to spend pursuant to chapter III,  
5 the department shall be authorized to make expenditures pursuant  
6 to the following conditions therein set forth.

7 Because of the serious health hazard presented by the presence of  
8 lead-based paint in residential housing in the Commonwealth, the  
9 department of public health is hereby authorized to expend over a  
10 five year period a sum not exceeding one hundred million dollars:  
11 (i) to fund contracts for the testing of all residential units owned and  
12 operated by local housing authorities for the presence of lead-based  
13 paint pursuant to sections 190-199 of this chapter; (ii) to fund  
14 contracts for the testing of all rental units to be leased by the owners  
15 of private residential property under any federal or state rental  
16 subsidy program, for the presence of lead-based paint pursuant to  
17 sections 190-199 of this chapter; (iii) to fund contracts for the  
18 removal of all lead-based paint in all units owned and operated by  
19 local housing authorities, if such units are determined to contain  
20 dangerous levels of the same; (iv) to fund contracts for one-half the

21 actual cost of removal of lead-based paint, or \$1,000.00, whichever  
 22 is less, for subsidized rental units described in subparagraph (ii),  
 23 provided that the owners of such units agree to accept subsidized  
 24 tenants for a period of five years from the date of any removal of  
 25 lead-based paint under this section.

26 The department shall make such rules and regulations as may be  
 27 necessary to carry out this section and shall report to the legislature  
 28 yearly as to the number of units tested, the number of units contain-  
 29 ing dangerous levels of lead-based paint and the number of units  
 30 from which such paint has been removed.