

By Mr. Fitzgerald of Boston, petition of Kevin W. Fitzgerald and other members of the House for legislation to establish a fund to assist local housing authorities and owners of private property receiving federal or state rental subsidy to remove paint containing a lead base. Housing and Urban Development.

The Commonwealth of Massachusetts

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

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 111 is hereby amended by inserting the following as
2 Section 199B:

3 In addition to such sums as the department of public health
4 may from time to time be authorized to spend pursuant to chap-
5 ter 111, the department shall be authorized to make expenditures
6 pursuant to the following conditions:

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

21 to fund contracts for one-half the actual cost of removal and
22 covering of lead-based paint, or \$1,000,000, whichever is less, for
23 subsidized rental units described in subparagraph (ii), provided
24 that the owners of such units agree to accept subsidized tenants
25 for a period of five years from the date of any removal and cover-
26 ing of lead-based paint under this section.

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

32 The provisions of sections 190-199 of this chapter shall be
33 waived with respect to such residential units owned and operated
34 by local housing authorities as to which funding for the removal
35 and covering of lead-based paint is not provided pursuant to this
36 section.