

SENATE BILL REPORT

SB 6852

As Reported By Senate Committee On:
Consumer Protection & Housing, February 07, 2008

Title: An act relating to the presence of toxins in households or dwellings.

Brief Description: Addressing the presence of toxins in households or dwellings.

Sponsors: Senators Kohl-Welles, Keiser, Weinstein, Fairley, Franklin, Kline and Rockefeller.

Brief History:

Committee Activity: Consumer Protection & Housing: 2/7/08 [DP, DNP].

SENATE COMMITTEE ON CONSUMER PROTECTION & HOUSING

Majority Report: Do pass.

Signed by Senators Weinstein, Chair; Kauffman, Vice Chair; Jacobsen, Kilmer and Tom.

Minority Report: Do not pass.

Signed by Senator Delvin.

Staff: Alison Mendiola (786-7483)

Background: Indoor toxins, such as mold, are known to cause health problems, especially in vulnerable populations such as infants, young children, and the elderly. In an effort to educate the public about the danger of indoor mold, landlords are currently required to provide tenants with mold information as developed by the Department of Health (DOH).

Families with children under the age of six receive periodic mailings known as child health immunizations linkages and development (CHILD) profile. The materials contain age-specific information about growth, development, safety, nutrition, and other parenting issues. The DOH contracts with the Department of Public Health of Seattle and King County for the mailings.

Summary of Bill: Mold Disclosure. The mold information that landlords currently provide to tenants is to be translated into the top five language spoken in Washington, as determined and translated by the DOH. If a tenant's primary language is one other than English, and the DOH has translated the mold information into the tenant's primary language, the landlord must either post the mold information or provide a written copy of the information to the tenant in his or her primary language. This provision must be complied with no later than January 1, 2009.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

CHILD Profile. The CHILD profile mailings are to include a copy of the mold information as provided for tenants under the Residential Landlord-Tenant Act.

Washington State Toxic Mold and Toxins Task Force. A task force is created and convened by the DOH to study and make recommendations to the Legislature concerning:

- the threat posed by the presence of indoor mold and household and workplace toxins;
- guidelines for identifying and sampling of toxic mold and household and workplace toxins;
- standards, guidance, and costs for toxic indoor mold removal;
- primary prevention related to building construction and maintenance;
- the availability and adequacy of commercial and residential property coverage for toxic indoor mold and household and workplace toxins in the insurance industry;
- public education and outreach, including remediation;
- the prevalence of insurance industry-related claims related to such toxins;
- the development of a program to examine and test indoor residential air quality;
- appropriate disclosure of the presence of such toxins in real property (for rent and sale); and
- the need to authorize the issuance of bonds to finance capital.

The task force must report its findings, conclusions, and any legislative recommendations to the appropriate committees of the Legislature by December 1, 2009.

Appropriation: None.

Fiscal Note: Requested on February 6, 2008.

Committee/Commission/Task Force Created: Yes.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: PRO: Indoor mold and other toxins can lead to very serious health problems. A group has been meeting informally to address such issues, which led to the development of this legislation.

OTHER: The landlord/tenant language needs to be looked at. Regarding the task force language, strike language addressing mold insurance claim data, since mold has been excluded from coverage since 2003. The issues the task force is to look at are duplicative of information already available; although there would be some value in looking at the mold disclosure information.

Persons Testifying: PRO: Senator Kohl-Welles, prime sponsor; Blain and Cheryl Cowley, Washington Apartment Association.

OTHER: Gregg Grunenfelder, DOH; Terry Kohl, Washington Apartment Association; Chris Carlson, Office of the Insurance Commissioner.