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## Appropriations Committee

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### SB 5643

**Brief Description:** Concerning lead-based paint certification fees.

**Sponsors:** Senators Wellman, Hobbs and Saldaña; by request of Department of Commerce.

#### Brief Summary of Bill

- Increases lead-based paint certification and recertification fees for lead paint firms, inspectors, project developers, risk assessors, supervisors, abatement workers, renovators, and dust-sampling technicians from \$25 to \$30.
- Requires lead-based paint recertification fees to be paid annually.

**Hearing Date:** 2/24/18

**Staff:** Meghan Morris (786-7119).

#### Background:

Lead was commonly used in paint until it was banned for residential use in 1978. Exposure to lead can be toxic, especially to children ages six and younger. Ingesting or breathing dust from lead-based paint is the most common form of lead exposure. Dust is released by the deterioration of paint and can occur during remodeling activities.

In 1992 Congress passed the Residential Lead-Based Paint Hazard Reduction Act (Act). Under the Act, the United States Environmental Protection Agency (EPA) and other federal agencies developed a national program to prevent and reduce lead-based paint exposures and hazards. The Act allows states to provide for the accreditation of lead-based paint activities programs, the certification of persons completing such training programs, and the licensing of contractors for lead-based paint activities under standards developed by the EPA. States that undertake these activities are eligible for federal grants to support the state program.

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*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.*

Lead-based paint activities include inspections to identify lead-based paint, risk assessments to find lead-based paint hazards, and abatement activity designed to permanently remove lead-based paint hazards.

*Lead-Based Paint Abatement Program.*

In 2003 the Legislature created the state Lead-Based Paint Abatement Program (LBP) within the Department of Commerce (Department). The program accredits lead-based paint training programs and certifies contractors who perform lead-based paint remediation work. The Department processes certification and accreditation applications, tracks licensees, provides technical assistance, enforces rules, and reviews training and program effectiveness.

*Renovation, Repair, and Painting Program.*

In April 2008 the EPA adopted a rule that requires contractors performing renovation, repair, and painting projects that disturb lead-based paint in homes, child care facilities, and schools, built before 1978, to be certified and follow specific work practices to prevent lead contamination. To comply with federal laws and rules, the Legislature created the state Renovation, Repair, and Painting Program (RRP), which the Department manages alongside the LBP. The RRP certification requirements and rules apply to anyone performing work for compensation on a pre-1978 residence when that work disturbs more than 20 square feet of paint exterior and six square feet of interior.

*Lead Paint Account.*

The LBP and RRP are funded through the Lead Paint Account (Account). Revenues into the Account include federal awards, certification and accreditation fees, and penalties for violating lead-based paint rules. Certification and recertification fees for lead paint firms, inspectors, project developers, risk assessors, supervisors, abatement workers, renovators, and dust-sampling technicians are as follows:

- \$25 for a five-year renovation certification; and
- \$25 for a three-year abatement certification.

**Summary of Bill:**

Lead-based paint certification and recertification fees are increased from \$25 to \$30. Lead-based paint recertification fees must be paid annually.

**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date:** The bill takes effect 90 days after adjournment of the session in which the bill is passed.