

HB 438 -- Lead Abatement

Sponsor: Schaaf

This bill changes the laws regarding lead abatement and the prevention of lead poisoning. The bill:

(1) Allows a representative from the Department of Health and Senior Services or from the local government, if consent is not granted, to petition the court to reenter a dwelling or child-occupied facility to determine if the owner has reduced lead hazards to an acceptable level;

(2) Provides if a lead abatement contractor fails to notify the department prior to the commencement of a lead abatement project, the contractor will be fined \$1,000 for the first offense and \$2,000 for the second offense. Subsequent violations are a class D felony and will result in the doubling of fines; and

(3) Allows a representative from the department or the Attorney General to bring an action to temporarily or permanently restrain any action resulting in lead abatement or the prevention of lead poisoning. All actions will be placed at the head of the court docket and must be heard within 15 days. Additionally, the department may seek civil penalties against persons who violate regulations and statutes pertaining to lead abatement. Revenue from these penalties will be deposited into the Missouri Lead Abatement Loan Fund.