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H.218

Introduced by Representatives Rosenquist of Georgia, Brumsted of Shelburne,  
Gregoire of Fairfield, Haas of Rochester, Nicoll of Ludlow,  
Noyes of Wolcott, Redmond of Essex, and Wood of Waterbury

Referred to Committee on

Date:

Subject: Health; public health; lead poisoning prevention

Statement of purpose of bill as introduced: This bill proposes to further amend  
Vermont’s lead poisoning prevention statutes by clarifying the definition of  
“target housing” and by prohibiting unsafe work practices in target housing or  
in child care facilities.

An act relating to lead poisoning prevention

It is hereby enacted by the General Assembly of the State of Vermont:

Sec. 1. 2018 Acts and Resolves No. 149, Sec. 2 is amended to read:

Sec. 2. 18 V.S.A. chapter 38 is amended as follows:

CHAPTER 38. LEAD POISONING PREVENTION

§ 1751. DEFINITIONS

\* \* \*

(b) As used in this chapter:

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\* \* \*

(8) “Component” or “building component” means specific design or structural elements or fixtures of a facility or residential dwelling that are distinguished from each other by form, function, and location. These include interior components such as ceilings; crown moldings; walls; chair rails; doors; door trim; floors; fireplaces; radiators and other heating units; shelves; shelf supports; stair treads; stair risers; stair stringers; newel posts; railing caps; balustrades; windows and trim, including sashes, window heads, jambs, sills, or stools and troughs; built-in cabinets; columns; beams; bathroom vanities; countertops; air conditioners; and exterior components such as painting; roofing; chimneys; flashing; gutters and downspouts; ceilings; soffits; fascias; rake boards; cornerboards; bulkheads; doors and door trim; fences; floors; joists; lattice work; railings and railing caps; siding; handrails; stair risers and treads; stair stringers; columns; balustrades; windowsills or stools and troughs; casings; sashes and wells; and air conditioners.

\* \* \*

(41) “Rental target housing” means target housing offered for lease or rental under a rental agreement as defined in 9 V.S.A. § 4451. “Rental target housing” does not include a rented single room located within a dwelling in which the owner of the dwelling resides unless a child six years of age or younger resides in or is expected to reside in that dwelling. “Rental target

1 housing” shall not include units in a hotel, motel, or other lodging, including  
2 condominiums that are rented for transient occupancy for 30 days or less.

3 \* \* \*

4 (46) “Target housing” means any dwelling constructed prior to 1978,  
5 except any 0-bedroom dwelling or any dwelling located in multiple-unit  
6 buildings or projects reserved for the exclusive use of elders or persons with  
7 disabilities, unless a child six years of age or younger resides in or is expected  
8 to reside in that dwelling. ~~“Target housing” does not include units in a hotel,~~  
9 ~~motel, or other lodging, including condominiums that are rented for transient~~  
10 ~~occupancy for 30 days or less.~~

11 \* \* \*

12 § 1760. PRESUMPTION OF LEAD-BASED PAINT; PROHIBITED AND  
13 UNSAFE WORK PRACTICES

14 \* \* \*

15 (b) A person shall not ~~disturb one square foot or more of interior or~~  
16 ~~exterior lead-based paint using~~ use unsafe work practices in target housing,  
17 child-occupied facilities, pre-1978 public facilities, commercial facilities, and  
18 bridges or other superstructures.

19 \* \* \*

1       Sec. 2. EFFECTIVE DATE

2           This act shall take effect upon the Commissioner of Health's written  
3       confirmation to the Speaker of the House and the Senate President Pro  
4       Tempore, which shall be posted on the General Assembly's website, that the  
5       U.S. Environmental Protection Agency has authorized the program as  
6       administered by Vermont.