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(Original Signature of Member)

118TH CONGRESS
2D SESSION

H. R. _____

To amend the Lead-Based Paint Poisoning Prevention Act to provide for additional procedures for families with children under the age of 6, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. GARCÍA of Illinois introduced the following bill; which was referred to the Committee on _____

A BILL

To amend the Lead-Based Paint Poisoning Prevention Act to provide for additional procedures for families with children under the age of 6, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Lead-Safe Housing
5 for Kids Act of 2024”.

1 **SEC. 2. AMENDMENTS TO THE LEAD-BASED PAINT POI-**
2 **SONING PREVENTION ACT.**

3 Section 302(a) of the Lead-Based Paint Poisoning
4 Prevention Act (42 U.S.C. 4822(a)) is amended—

5 (1) in paragraph (1), in the matter preceding
6 subparagraph (A), by inserting after “mortgage in-
7 surance” the following: “, tenant-based rental assist-
8 ance under section 8(o) of the United States Hous-
9 ing Act of 1937 (42 U.S.C. 1437f(o)),”;

10 (2) by redesignating paragraph (4) as para-
11 graph (5); and

12 (3) by inserting after paragraph (3) the fol-
13 lowing:

14 “(4) **ADDITIONAL PROCEDURES FOR FAMILIES**
15 **WITH CHILDREN UNDER THE AGE OF 6.—**

16 “(A) **RISK ASSESSMENT.—**

17 “(i) **DEFINITION.—**In this subpara-
18 graph, the term ‘covered housing’ means
19 target housing, as defined in section 1004
20 of the Residential Lead-Based Paint Haz-
21 ard Reduction Act of 1992 (42 U.S.C.
22 4851b), that—

23 “(I) is covered by an application
24 for mortgage insurance or housing as-
25 sistance payments under a program
26 administered by the Secretary; or

1 “(II) otherwise receives more
2 than \$5,000 in project-based assist-
3 ance under a Federal housing pro-
4 gram.

5 “(ii) REGULATIONS.—Not later than
6 1 year after the date of enactment of the
7 Lead-Safe Housing for Kids Act of 2024,
8 the Secretary shall promulgate regulations
9 that—

10 “(I) require the owner of covered
11 housing in which a family with a child
12 of less than 6 years of age will reside
13 or is expected to reside to conduct an
14 initial risk assessment for lead-based
15 paint hazards—

16 “(aa) in the case of covered
17 housing receiving tenant-based
18 rental assistance under section
19 8(o) of the United States Hous-
20 ing Act of 1937 (42 U.S.C.
21 1437f(o)), not later than 15 days
22 after the date on which the fam-
23 ily and the owner submit a re-
24 quest for approval of a tenancy

1 or lease renewal, whichever oc-
2 curs first;

3 “(bb) in the case of covered
4 housing receiving public housing
5 assistance under the United
6 States Housing Act of 1937 (42
7 U.S.C. 1437 et seq.) or project-
8 based rental assistance under
9 section 8 of the United States
10 Housing Act of 1937 (42 U.S.C.
11 1437f), not later than 15 days
12 after the date on which a phys-
13 ical condition inspection occurs;
14 and

15 “(cc) in the case of covered
16 housing not described in item
17 (aa) or (bb), not later than a
18 date established by the Secretary;

19 “(II) provide that a visual assess-
20 ment alone is not sufficient for pur-
21 poses of complying with subclause (I);

22 “(III) require that, if lead-based
23 paint hazards are identified by an ini-
24 tial risk assessment conducted under

1 subclause (I), the owner of the cov-
2 ered housing shall—

3 “(aa) not later than 30 days
4 after the date on which the initial
5 risk assessment is conducted,
6 control the lead-based paint haz-
7 ards, including achieving clear-
8 ance in accordance with regula-
9 tions promulgated under section
10 402 or 404 of the Toxic Sub-
11 stances Control Act (15 U.S.C.
12 2682, 2684), as applicable; and

13 “(bb) in accessible and alter-
14 native formats consistent with
15 the requirements under section
16 504 of the Rehabilitation Act of
17 1973 (29 U.S.C. 794), the Amer-
18 icans with Disabilities Act of
19 1990 (42 U.S.C. 12101 et seq.),
20 and title VI of the Civil Rights
21 Act of 1964 (42 U.S.C. 2000d et
22 seq.), provide notice to all resi-
23 dents in the covered housing af-
24 fected by the initial risk assess-
25 ment, and provide notice in the

1 common areas of the covered
2 housing, that lead-based paint
3 hazards were identified and will
4 be controlled within the 30-day
5 period described in item (aa);
6 and

7 “(IV) provide that there shall be
8 no extension of the 30-day period de-
9 scribed in subclause (III)(aa).

10 “(iii) EXCEPTIONS.—The regulations
11 promulgated under clause (ii) shall provide
12 an exception to the requirement under sub-
13 clause (I) of such clause for covered hous-
14 ing—

15 “(I) if the owner of the covered
16 housing submits to the Secretary doc-
17 umentation—

18 “(aa) that the owner con-
19 ducted a risk assessment of the
20 covered housing for lead-based
21 paint hazards during the 12-
22 month period preceding the date
23 on which the family is expected
24 to reside in the covered housing;
25 and

1 “(bb) of any clearance ex-
2 aminations of lead-based paint
3 hazard control work resulting
4 from the risk assessment de-
5 scribed in item (aa) that show
6 that the housing passed the
7 clearance examination;

8 “(II)(aa) if a lead-based paint in-
9 spection of the covered housing deter-
10 mined that lead-based paint was not
11 present in the covered housing; or

12 “(bb) from which all lead-based
13 paint has been identified and removed
14 and clearance has been achieved in ac-
15 cordance with regulations promul-
16 gated under section 402 or 404 of the
17 Toxic Substances Control Act (15
18 U.S.C. 2682, 2684) or under this sec-
19 tion, as applicable;

20 “(III) if—

21 “(aa) lead-based paint haz-
22 ards are identified in the dwelling
23 unit in the covered housing in
24 which the family will reside or is
25 expected to reside;

1 “(bb) the dwelling unit is
2 unoccupied;

3 “(cc) the owner of the cov-
4 ered housing, without any further
5 delay in occupancy or increase in
6 rent, provides the family with an-
7 other dwelling unit in the covered
8 housing that has no lead-based
9 paint hazards; and

10 “(dd) the common areas
11 servicing the new dwelling unit
12 have no lead-based paint hazards;
13 and

14 “(IV) in accordance with any
15 other standard or exception the Sec-
16 retary deems appropriate based on
17 health-based standards.

18 “(B) RELOCATION.—

19 “(i) IN GENERAL.—Not later than 1
20 year after the date of enactment of the
21 Lead-Safe Housing for Kids Act of 2024,
22 the Secretary shall promulgate regulations
23 to provide that a family with a child of less
24 than 6 years of age that occupies a dwell-
25 ing unit in covered housing in which lead-

1 based paint hazards were identified, but
2 not controlled in accordance with regula-
3 tions required under subparagraph (A)(ii),
4 may relocate on an emergency basis and
5 without placement on any waitlist, penalty
6 (including rent payments to be made for
7 that dwelling unit), or lapse in assistance
8 to a dwelling unit that—

9 “(I) was constructed in 1978 or
10 later; or

11 “(II) is in covered housing that
12 has no lead-based paint hazards.

13 “(ii) REQUIREMENTS.—Relocation de-
14 scribed in clause (i) shall be performed
15 consistent with the standards set forth
16 under the Uniform Relocation Assistance
17 and Real Property Acquisition Policies Act
18 of 1970 (42 U.S.C. 4601 et seq.) and any
19 other applicable Federal civil rights, fair
20 housing, and nondiscrimination laws.”.

21 **SEC. 3. AUTHORIZATION OF APPROPRIATIONS.**

22 There is authorized to be appropriated to carry out
23 the amendments made by section 2 such sums as may be
24 necessary for each of fiscal years 2025 through 2029.