

SENATE BILL No. 382

DIGEST OF INTRODUCED BILL

Citations Affected: IC 16-18-2-316.2; IC 16-41-39.9.

Synopsis: Lead-based paint hazard program. Requires the state department of health to seek authorization from the U.S. Environmental Protection Agency (EPA) to administer and enforce, in Indiana, the EPA's program to address lead based paint hazards created by renovation, repair, and painting activities that disturb lead based paint in certain housing structures and facilities.

Effective: July 1, 2014.

Lanane, Breaux

January 14, 2014, read first time and referred to Committee on Health and Provider Services.



Second Regular Session 118th General Assembly (2014)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2013 Regular Session and 2013 First Regular Technical Session of the General Assembly.

SENATE BILL No. 382

A BILL FOR AN ACT to amend the Indiana Code concerning health.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 16-18-2-316.2 IS ADDED TO THE INDIANA
2 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
3 [EFFECTIVE JULY 1, 2014]: **Sec. 316.2. "Renovation, repair, and**
4 **painting program"**, for purposes of IC 16-41-39.9, has the meaning
5 set forth in IC 16-41-39.9-1.

6 SECTION 2. IC 16-41-39.9 IS ADDED TO THE INDIANA CODE
7 AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE
8 JULY 1, 2014]:

9 **Chapter 39.9. State Renovation, Repair, and Painting Program**
10 **Sec. 1. As used in this chapter, "renovation, repair, and painting**
11 **program" refers to the program:**

12 **(1) that has been established by the U.S. Environmental**
13 **Protection Agency under Section 402(c)(3) of the federal**
14 **Toxic Substances Control Act (15 U.S.C. 2601 et seq.) to**
15 **address lead based paint hazards created by renovation,**
16 **repair, and painting activities that disturb lead based paint in**



1 certain housing structures and facilities; and

2 (2) that establishes requirements:

3 (A) for the training of renovators, other renovation
4 workers, and dust sampling technicians;

5 (B) for the certifying of renovators, dust sampling
6 technicians, and renovation firms;

7 (C) for the accrediting of providers of renovation and dust
8 sampling technician training; and

9 (D) concerning renovation work practices and record
10 keeping; and

11 (3) that states may receive authorization to administer and
12 enforce.

13 Sec. 2. The state department, under 40 CFR 745.324 et seq.,
14 shall do the following:

15 (1) Plan and design a state program that consists of the
16 following elements:

17 (A) Procedures and requirements for:

18 (i) the accreditation of lead based paint activities
19 training programs; and

20 (ii) the certification of individuals engaged in lead based
21 paint activities.

22 (B) Work practice standards for the conduct of lead based
23 paint activities.

24 (C) A requirement that all lead based paint activities be
25 conducted by appropriately certified contractors.

26 (D) The development of appropriate infrastructure and
27 government capacity to effectively carry out a state
28 program.

29 (2) Submit an application to the U.S. Environmental
30 Protection Agency for authorization to administer and
31 enforce the renovation, repair, and painting program in
32 Indiana through the state program planned and designed
33 under subdivision (1).

34 (3) After gaining authorization, administer and enforce the
35 renovation, repair, and painting program in Indiana and
36 comply with requirements of the U.S. Environmental
37 Protection Agency for state administration and enforcement
38 of the renovation, repair, and painting program.

