

SENATE No. 882

The Commonwealth of Massachusetts

PRESENTED BY:

Robert A. O'Leary

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act studying the health effects of toxic mold.

PETITION OF:

NAME:

O'Leary, Robert (SEN)

DISTRICT/ADDRESS:

Cape and Islands

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. S01317 OF 2007-2008.]

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

AN ACT STUDYING THE HEALTH EFFECTS OF TOXIC MOLD.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 **SECTION 1.** Notwithstanding any general or special law to the contrary, the department of
2 public health, in conjunction with the department of environmental protection, the division of
3 occupational safety and the board of building regulations and standards, shall convene a task force to
4 study the health effects of toxic mold and to recommend methods to protect the public from unsafe indoor
5 exposure to toxic mold. The task force's study shall include, but not be limited to, the following areas: (a)
6 current research, studies and findings regarding toxic molds and the health effects thereof, including but
7 not limited to information available from the environmental protection agency and the centers for disease
8 control; (b) current recommendations, based on scientific studies, regarding safe indoor exposure limits to
9 toxic molds, including but not limited the recommendations put forth by the environmental protection
10 agency and the centers for disease control; (c) potential alternative safe exposure limits for certain
11 facilities, including but not limited to schools, hospitals, child care facilities and nursing homes; (d) other
12 states efforts to address the health effects of toxic mold, including regulations and pending legislation;
13 and (e) standards for safe indoor exposure limits and draft regulations for the establishment and

14 enforcement of safe indoor exposure limits to toxic mold in public and private buildings in
15 Massachusetts, including private residences.

16 **SECTION 2.** The task force shall consist of up to 2 representatives from each of the following
17 offices: the department of public health, one of whom shall be from the bureau of environmental health
18 assessment, the department of environmental protection, the division of occupational safety, and the board
19 of building regulations and standards; 6 members of the legislature, 2 to be appointed by the president of
20 the senate, 2 to be appointed by the speaker of the house of representatives, 1 to be appointed by the
21 minority leader of the senate and one to be appointed by the minority leader of the house of
22 representatives; and one community liaison to be appointed by the Governor. The task force shall also
23 include five representatives to be chosen from among the following groups: health experts, medical
24 experts, mold abatement experts, and affected industries, including but not limited to forest products, real
25 estate agents, and residential, commercial and industrial tenants, proprietors, landlords, insurers and
26 builders. The task force may consult with other government agencies, both federal and state, as well as
27 members of the scientific community and other consultants.

28 **SECTION 3.** The task force shall submit a report, including any draft standards and regulations
29 or an explanation of why such standards and regulations were not found to be feasible, to the joint
30 committee on public health and the joint committee on consumer protection and professional licensure
31 within 6 months following the passage of this act.