



**94TH GENERAL ASSEMBLY**  
**State of Illinois**  
**2005 and 2006**  
**HB4854**

Introduced 01/19/06, by Rep. Harry Osterman

**SYNOPSIS AS INTRODUCED:**

410 ILCS 45/8

from Ch. 111 1/2, par. 1308

Amends the Lead Poisoning Prevention Act. Provides that if a building is occupied by a child of less than 3 years of age screening positive for lead poisoning, the Department of Public Health must inspect the dwelling unit and common place area of the child screening positive. Provides that the Department may screen more units as the Department deems necessary. Effective immediately.

LRB094 17008 LJB 52289 b

FISCAL NOTE ACT  
MAY APPLY

1 AN ACT concerning health.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Lead Poisoning Prevention Act is amended by  
5 changing Section 8 as follows:

6 (410 ILCS 45/8) (from Ch. 111 1/2, par. 1308)

7 Sec. 8. Inspection of buildings occupied by a person  
8 screening positive. A representative of the Department, or  
9 delegate agency, may, after notification that an occupant of  
10 the dwelling unit in question is found to have a blood lead  
11 value of the value set forth in Section 7, upon presentation of  
12 the appropriate credentials to the owner, occupant, or his  
13 representative, inspect dwelling or dwelling units, at  
14 reasonable times, for the purposes of ascertaining that all  
15 surfaces accessible to children are intact and in good repair,  
16 and for purposes of ascertaining the existence of lead bearing  
17 substances. Such representative of the Department, or delegate  
18 agency, may remove samples or objects necessary for laboratory  
19 analysis, in the determination of the presence of lead-bearing  
20 substances in the designated dwelling or dwelling unit.

21 If a building is occupied by a child of less than 3 years  
22 of age screening positive the Department, in addition to all  
23 other requirements of this Section, must inspect the dwelling  
24 unit and common place area of the child screening positive. The  
25 Department may inspect more units as it deems necessary.

26 Following the inspection, the Department or its delegate  
27 agency shall:

28 (1) Prepare an inspection report which shall:

29 (A) State the address of the dwelling unit.

30 (B) Describe the scope of the inspection, the  
31 inspection procedures used, and the method of ascertaining  
32 the existence of a lead bearing substance in the dwelling

1 unit.

2 (C) State whether any lead bearing substances were  
3 found in the dwelling unit.

4 (D) Describe the nature, extent, and location of any  
5 lead bearing substance that is found.

6 (E) State either that a lead hazard does exist or that  
7 a lead hazard does not exist. If a lead hazard does exist,  
8 the report shall describe the source, nature and location  
9 of the lead hazard. The existence of intact lead paint does  
10 not alone constitute a lead hazard for the purposes of this  
11 Section.

12 (F) Give the name of the person who conducted the  
13 inspection and the person to contact for further  
14 information regarding the inspection and the requirements  
15 of this Act.

16 (2) Mail or otherwise provide a copy of the inspection  
17 report to the property owner and to the occupants of the  
18 dwelling unit. If a lead bearing substance is found, at the  
19 time of providing a copy of the inspection report, the  
20 Department or its delegate agency shall attach an informational  
21 brochure.

22 (Source: P.A. 87-175; 87-1144.)

23 Section 99. Effective date. This Act takes effect upon  
24 becoming law.