

HOUSE BILL NO. 5359

January 21, 2020, Introduced by Reps. Hood, Whitsett, Coleman, Pohutsky, Garza, Gay-Dagnogo, Kennedy, Stone, Rabhi, Yancey, Ellison, Sneller, Tate, Bolden, Manoogian, Anthony, Cherry, Hope, Kupp, Brixie, Sowerby, Sabo, Brenda Carter, Warren, Hammoud, Peterson, Tyrone Carter, Lasinski, Wittenberg, Brann, Howell and Jones and referred to the Committee on Health Policy.

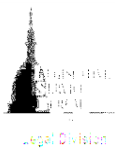
A bill to amend 1978 PA 368, entitled
"Public health code,"
by amending section 5456 (MCL 333.5456), as amended by 2002 PA 644.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 5456. ~~(1) "Department" means the department of community~~
2 ~~health.~~

3 **(1)** ~~(2)~~ "Deteriorated paint" means paint or other surface
4 coating that is cracking, flaking, chipping, peeling, or otherwise
5 damaged or separating from the substrate of a building component.

6 **(2)** ~~(3)~~ "Discipline" means 1 of the specific types or



1 categories of lead-based paint activities identified in this part
2 for which an individual may receive training from an accredited
3 training program and become certified by the department.

4 (3) ~~(4)~~—"Distinct painting history" means the application
5 history, as indicated by its visual appearance or a record of
6 application, over time of paint or other surface coatings to a
7 component or room.

8 (4) ~~(5)~~—"Documented methodology" means a method or protocol
9 used to do either or both of the following:

10 (a) Sample and test for the presence of lead in paint, dust,
11 and soil.

12 (b) Perform related work practices as described in rules
13 promulgated under this part.

14 (5) ~~(6)~~—"Dust lead hazard" means surface dust in a residential
15 dwelling or child occupied facility that contains a concentration
16 of lead at or in excess of levels identified by the EPA pursuant to
17 section 403 of title IV of the toxic substances control act, Public
18 Law 94-469, 15 ~~U.S.C.~~ **USC** 2683, or as otherwise defined by rule.

19 (6) ~~(7)~~—"Elevated blood level" or "EBL" means for purposes of
20 lead abatement an excessive absorption of lead that is a confirmed
21 concentration of lead in whole blood of 20 ug/dl, micrograms of
22 lead per deciliter of whole blood, for a single venous test or of
23 15-19 ug/dl in 2 consecutive tests taken 3 to 4 months apart. For
24 purposes of case management of children 6 years of age or less,
25 elevated blood level means an excessive absorption of lead that is
26 a confirmed concentration of lead in whole blood of ~~10~~ **5** ug/dl.

27 (7) ~~(8)~~—"Encapsulant" means a substance that forms a barrier
28 between lead-based paint and the environment using a liquid-applied
29 coating, with or without reinforcement materials, or an adhesively



1 bonded covering material.

2 (8) ~~(9)~~ "Encapsulation" means the application of an
3 encapsulant.

4 (9) ~~(10)~~ "Enclosure" means the use of rigid, durable
5 construction materials that are mechanically fastened to the
6 substrate in order to act as a barrier between lead-based paint and
7 the environment.

8 (10) ~~(11)~~ "EPA" means the United States ~~environmental~~
9 ~~protection agency.~~ **Environmental Protection Agency.**

10 Enacting section 1. This amendatory act does not take effect
11 unless all of the following bills of the 100th Legislature are
12 enacted into law:

13 (a) Senate Bill No. ____ or House Bill No. 5364 (request no.
14 02657'19).

15 (b) Senate Bill No. ____ or House Bill No. 5360 (request no.
16 05130'19).

