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AB-247 Public health: childhood lead poisoning: Lead Advisory Task Force. (2017-2018)

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ENROLLED SEPTEMBER 15, 2017

PASSED IN SENATE SEPTEMBER 14, 2017

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CALIFORNIA LEGISLATURE— 2017–2018 REGULAR SESSION

ASSEMBLY BILL

NO. 247

Introduced by Assembly Members Cristina Garcia, Gomez, Reyes, and Santiago

January 30, 2017

An act to add and repeal Section 124166 of the Health and Safety Code, relating to lead poisoning.

LEGISLATIVE COUNSEL'S DIGEST

AB 247, Cristina Garcia. Public health: childhood lead poisoning: Lead Advisory Task Force.

Under existing law, known as the Childhood Lead Poisoning Prevention Act of 1991, the State Department of Public Health is required to establish procedures for environmental abatement and followup, and undertake other specified measures, designed to reduce the incidence of excessive childhood lead exposure in California.

The bill would require, by April 1, 2018, the Office of Environmental Health Hazard Assessment to convene a Lead Advisory Task Force, with a prescribed membership, to review and advise, as provided, regarding policies and procedures to reduce childhood lead poisoning in the state. The bill would require the task force to publish on the Office of Environmental Health Hazard Assessment's Internet Web site a recommended regulatory agenda on or before April 1, 2020, that would identify sources of lead and ensure that regulatory standards are protective of health in the state, as specified, and to update the regulatory agenda on or before April 1, 2022. These provisions would become inoperative on April 1, 2022.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 124166 is added to the Health and Safety Code, to read:

124166. (a) On or before April 1, 2018, the Office of Environmental Health Hazard Assessment shall convene and appoint members to a Lead Advisory Task Force to review and advise, as provided in subdivision (c), regarding policies and procedures to reduce childhood lead poisoning in the state. Until April 1, 2020, the task force shall meet quarterly and, on or before that date, shall publish on the Office of Environmental Health Hazard Assessment's Internet Web site a recommended regulatory agenda for the state that would identify sources of lead and ensure that regulatory standards are protective of health in the state. Commencing April 1, 2020, the task force shall meet twice a year. The task force shall update the regulatory agenda on or before April 1, 2022.

(b) (1) The membership of the task force shall be as follows:

- (A) One member shall be a lead exposure assessment expert.
- (B) One member shall be an epidemiology expert.
- (C) One member shall be a physician.
- (D) One member shall be an occupational health expert.
- (E) One member shall be an expert on lead remediation in paint or soil.
- (F) Two members shall be representatives from environmental justice organizations that work on lead contamination.
- (G) One member shall be a local government representative from a lead poisoning prevention program.
- (H) One member shall be a representative from the Department of Toxic Substances Control.
- (I) One member shall be a representative from the Office of Environmental Health Hazard Assessment.
- (J) One member shall be a representative from the Division of Occupational Safety and Health.
- (K) One member shall be a representative of industries that use lead in producing their products.
- (L) One member shall be a representative of the lead recycling industry.
- (M) One member shall be a representative of the civil aviation industry.
- (N) One member shall be a representative of industries not otherwise represented on the task force that are emitters of significant quantities of lead into the air of the state.
- (O) One member shall be a representative of an air quality management district.
- (P) One member shall be a representative from the State Water Resources Control Board.
- (Q) One member shall be a representative of a county environmental health department.
- (R) One member shall be a representative of worker safety advocates.
- (S) One member shall be a representative of a healthy housing organization.
- (T) One member shall be a representative from the State Department of Public Health.

(2) The members specified in subparagraphs (O) and (Q) shall come from different geographic areas of the state.

(c) In its recommended regulatory agenda, the task force shall do all of the following:

(1) Evaluate the efficacy of each of the following:

- (A) Each county's childhood lead testing programs and the state's lead testing program.
- (B) The drinking water program described in Section 116271.
- (C) Each county's healthy homes program.

(2) Address remedial action strategies that should be considered by the Department of Toxic Substances Control when approving remedial action plans.

(3) Advise state and local entities on how to better use existing state lead data, including, but not limited to, biomonitoring data that the state receives to identify opportunities to prevent lead poisoning and blood lead data from the State Department of Public Health.

(4) Review existing regulatory provisions for the protection and health of children in California and recommend any appropriate changes to any regulations that have not been revised on or after January 1, 2011.

(5) Provide advice on how to align the state's lead regulatory framework with the federal Centers for Disease Control and Prevention's most recent findings on the toxicity of lead to children.

(6) Identify key policies, regulations, and protocols for state agencies to follow to better protect California's children from lead exposure.

(7) Make recommendations, including, but not limited to, recommendations on the sharing of information between state agencies and departments.

(8) Identify how the state can work to leverage resources.

(9) Make recommendations on how to establish a comprehensive surveillance program on lead toxicity.

(d) (1) Each member of the task force shall receive reasonable and necessary traveling expenses and meal allowances as approved by the Office of Environmental Health Hazard Assessment for each day spent in actual attendance at, or in traveling to and from, meetings of the task force.

(2) A member of the task force who is a representative of a state or local government agency shall receive only those expenses or allowances specified in paragraph (1) that are provided by his or her employer.

(e) This section shall become inoperative on April 1, 2022, and, as of January 1, 2023, is repealed.