

House Bill 2715

Sponsored by Representative TOMEI (at the request of Tamara Rubin) (Pre-session filed.)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Requires State Board of Education to adopt rules establishing testing process under which public schools for kindergarten through grade 12 are tested once each calendar year to determine if lead dust from deteriorating paint poses significant health concern.

Requires Child Care Division of Employment Department to adopt rules establishing testing process under which child care facilities and family child care homes are tested once each calendar year to determine if lead dust from deteriorating paint poses significant health concern.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to lead; and declaring an emergency.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1. (1) The State Board of Education shall adopt rules establishing a testing**
5 **process under which public schools for kindergarten through grade 12 are tested once each**
6 **calendar year to determine if lead dust from deteriorating paint poses a significant health**
7 **concern.**

8 **(2) The results of the annual test required by subsection (1) of this section shall be posted**
9 **on the State Board of Education's website.**

10 **(3) The State Board of Education shall adopt by rule a procedure under which the parent**
11 **or guardian of a student who is enrolled in a school in which the test required by subsection**
12 **(1) of this section indicates that lead dust from deteriorating paint poses a significant health**
13 **concern may place the student in a school in which the test indicates that lead dust from**
14 **deteriorating paint does not pose a significant health concern.**

15 **SECTION 2. (1) Except as provided in subsection (2) of this section, section 1 of this 2011**
16 **Act becomes operative on January 1, 2012.**

17 **(2) The State Board of Education may, before the operative date specified in subsection**
18 **(1) of this section, adopt rules or take any other action that is necessary to implement, on**
19 **or after the operative date specified in subsection (1) of this section, section 1 of this 2011**
20 **Act.**

21 **SECTION 3. (1) The Child Care Division of the Employment Department shall adopt rules**
22 **establishing a testing process under which child care facilities certified under ORS 657A.280,**
23 **and family child care homes registered under the provisions of ORS 657A.330, are tested once**
24 **each calendar year to determine if lead dust from deteriorating paint poses a significant**
25 **health concern.**

26 **(2)(a) The Child Care Division may not certify a child care facility under the provisions**
27 **of ORS 657A.280, or renew the certification of a child care facility, if the test required by**
28 **subsection (1) of this section indicates that lead dust from deteriorating paint poses a sig-**

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

