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BILL ANALYSIS

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House Bill 4936 (Substitute S-2 as reported)
Sponsor: Representative Andy Coulouris
House Committee: Health Policy
Senate Committee: Health Policy

CONTENT

The bill would amend the Lead Abatement Act (Part 54A of the Public Health Code) to reinstate the Childhood Lead Poisoning Prevention and Control Commission; and set a July 1, 2010, sunset date on the sections reinstating the Commission and prescribing its duties.

The sections of the Act that created the Commission within the Department of Community Health and prescribed its duties were repealed on July 1, 2007. The bill would require that the nine members on June 30, 2007, be reinstated to serve on the Commission. Seven additional members specified in the bill would have to be appointed by the Governor within 30 days of the bill's effective date, with the advice and consent of the Senate.

The bill would reenact the provisions requiring the Commission to study the environmental threats of lead poisoning to children's health; review the State's lead poisoning prevention program; evaluate the program's effectiveness; recommend improvements to the program; and develop short- and long-range strategic recommendations for childhood lead poisoning prevention and control in Michigan.

Additionally, the Commission would have to evaluate and report on whether there was a need to adjust the lead content level specified in the definitions of "lead-bearing substance" and "toxic substance" in Parts 54B (which House Bills 4132 and 4399 would add) and 54C (which Senate Bill 174 would add) in order to reduce the incidence of lead poisoning in children. The Commission would have to its findings, including the recommendations, to the Governor and the Legislature by March 31 each year, beginning in 2008.

The bill is tie-barred to House Bills 4132 and 4399 and Senate Bill 174. Those bills would prohibit the use of a lead-bearing substance on children's jewelry; prohibit the sale of children's jewelry or a lunch box containing a lead-bearing substance; prohibit the use of a toxic substance on a toy or child care article; prohibit the sale of a toy or child care article containing a toxic substance; and prescribe civil fines for violations.

Proposed MCL 333.5478 & 333.5479

Legislative Analyst: Julie Cassidy

FISCAL IMPACT

Upon the re-establishment of Commission, the Department could see a minor, indeterminate increase in administrative cost associated with supporting its work.

Date Completed: 11-8-07

Fiscal Analyst: David Fosdick

[floor/hb4936](#)

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