

JAN 18 2019

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# A BILL FOR AN ACT

RELATING TO LEAD-BASED PAINT.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. The legislature finds that lead has been shown  
2 to cause neurological damage, behavioral and learning  
3 disabilities in children, kidney damage, miscarriages, and more.  
4 There is no safe level of exposure to lead and no way to reverse  
5 the damage caused by lead exposure.

6           The legislature also finds that while restrictions on lead-  
7 based paints have been in place for residential structures for  
8 decades, only Delaware has restrictions on lead-based paints on  
9 outdoor structures. Lead-based paints have historically been  
10 used and continue to be allowed on outdoor structures such as  
11 bridges, water towers, playground equipment, highways, parking  
12 lots, and utility towers and poles. The use, maintenance, and  
13 removal of paints containing lead on outdoor structures create  
14 lead exposure pathways that are hazardous to workers,  
15 contaminate the environment, and expose children and adults who  
16 live, work, and play in proximity to these structures.



1           The purpose of this Act is to reduce risks to public health  
2 and welfare by banning the use of lead-based paints on outdoor  
3 structures and to provide for an abatement plan for lead hazards  
4 that already exist on outdoor structures.

5           SECTION 2. Chapter 342P, Hawaii Revised Statutes, is  
6 amended by adding a new section to be appropriately designated  
7 and to read as follows:

8           "§342P- Prohibition of lead-based paint on outdoor  
9 structures. (a) The use by any person of lead-based paint on  
10 outdoor structures, whether applied to new outdoor structures or  
11 already existing outdoor structures, shall be prohibited after  
12 December 31, 2020.

13           (b) The department shall adopt rules pursuant to chapter  
14 91 respecting the development of an outdoor structure lead-based  
15 paint abatement plan which shall include but not be limited to  
16 safe maintenance of outdoor structures with pre-existing lead-  
17 based paint and safe removal of pre-existing lead-based paints  
18 on outdoor structures."

19           SECTION 3. This Act does not affect rights and duties that  
20 matured, penalties that were incurred, and proceedings that were  
21 begun before its effective date.



# S.B. NO. 258

1 SECTION 4. New statutory material is underscored.

2 SECTION 5. This Act shall take effect upon its approval.

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# S.B. NO. 259

**Report Title:**

Lead-based Paint Prohibition; Outdoor Structures; Department of Health

**Description:**

Prohibits the use of lead-based paint on outdoor structures after 12/31/20. Directs the department of health to develop rules developing an outdoor structure lead-based paint abatement plan providing for the safe maintenance of outdoor structures that already have lead-based paint and the safe removal of pre-existing lead-based paint from outdoor structures.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

