

113TH CONGRESS
1ST SESSION

S. 290

To reduce housing-related health hazards, and for other purposes.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 13, 2013

Mr. REED (for himself, Mr. JOHANNES, Mrs. BOXER, and Mr. FRANKEN) introduced the following bill; which was read twice and referred to the Committee on Banking, Housing, and Urban Affairs

A BILL

To reduce housing-related health hazards, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Title X Amendments
5 Act of 2013”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

8 (1) Poor housing conditions contribute to a
9 wide range of health conditions, including uninten-
10 tional injuries, respiratory illness, asthma, and can-

1 cer, which disproportionately impact susceptible and
2 vulnerable populations, such as children, the poor,
3 minorities, and people with chronic medical condi-
4 tions.

5 (2) Over 30 million housing units in the United
6 States have significant physical problems or elevated
7 levels of lead, radon, or other contaminants that
8 place their occupants at risk for illnesses or injuries.

9 (3) The societal cost of unhealthy housing in
10 terms of lost productivity, missed school days, crime,
11 and disability far exceed the cost of improving hous-
12 ing conditions.

13 (4) Cost-effective solutions to residential health
14 and safety hazards exist, including—

15 (A) interventions for children and adoles-
16 cents with asthma to reduce symptom days, im-
17 prove quality of life, and reduce missed school
18 days;

19 (B) housing policies to reduce childhood
20 lead exposure; and

21 (C) the installation of safety devices such
22 as smoke detectors and carbon monoxide alarms
23 to reduce injuries and death from fires and
24 malfunctioning equipment.

1 (5) The Federal Government must continue its
2 leadership in demonstrating and implementing
3 projects that support the national goal substantially
4 reducing the number of homes in the United States
5 with residential health and safety hazards.

6 **SEC. 3. DEFINITIONS.**

7 Section 1004 of the Residential Lead-Based Paint
8 Hazard Reduction Act of 1992 (42 U.S.C. 4851b) is
9 amended—

10 (1) by redesignating paragraphs (12) through
11 (27) as paragraphs (15) through (30), respectively;

12 (2) by redesignating paragraph (11) as para-
13 graph (13);

14 (3) by redesignating paragraphs (6) through
15 (10) as paragraphs (7) through (11), respectively;

16 (4) by inserting after paragraph (5) the fol-
17 lowing:

18 “(6) ELIGIBLE APPLICANT.—The term ‘eligible
19 applicant’ means a State, a unit of general local gov-
20 ernment, an Indian tribe, or a private nonprofit or-
21 ganization that meets the requirements of section
22 1101(b).”;

23 (5) by inserting after paragraph (11), as so re-
24 designated, the following:

1 “(12) HOUSING-RELATED HEALTH HAZARD.—
 2 The term ‘housing-related health hazard’ means any
 3 condition of residential real property that poses a
 4 risk of biological, physical, radiological, or chemical
 5 exposure that can adversely affect human health.”;
 6 and

7 (6) by inserting after paragraph (13), as so re-
 8 designated, the following:

9 “(14) INDIAN TRIBE.—The term ‘Indian tribe’
 10 has the meaning given the term in section 4 of the
 11 Indian Self-Determination and Education Assistance
 12 Act (25 U.S.C. 450b).”.

13 **SEC. 4. GRANT PROGRAM.**

14 Section 1011 of the Residential Lead-Based Paint
 15 Hazard Reduction Act of 1992 (42 U.S.C. 4852) is
 16 amended—

17 (1) in the section heading, by striking
 18 “**GRANTS FOR LEAD-BASED PAINT HAZARD RE-**
 19 **DUCTION IN TARGET HOUSING**” and inserting
 20 “**GRANTS FOR REDUCTION OF LEAD-BASED**
 21 **PAINT HAZARDS AND CORRECTION OF OTHER**
 22 **HOUSING-RELATED HAZARDS**”;

23 (2) in subsection (a)—

1 (A) by redesignating paragraphs (1), (2),
2 and (3) as subparagraphs (A), (B), and (D), re-
3 spectively;

4 (B) in subparagraph (A), as so redesign-
5 nated—

6 (i) by striking “for grants” and in-
7 serting “For grants”; and

8 (ii) by striking the semicolon at the
9 end and inserting a period;

10 (C) in subparagraph (B), as so redesign-
11 nated—

12 (i) by striking “for grants” and in-
13 serting “For grants”; and

14 (ii) by striking “; and” and inserting
15 a period;

16 (D) by inserting after subparagraph (B),
17 as so redesignated, the following:

18 “(C) For grants made to carry out any of
19 paragraphs (1) through (9) or (11) of sub-
20 section (e), the grants may not be used to assist
21 federally assisted housing, federally owned
22 housing, or public housing.”;

23 (E) in subparagraph (D), as so redesign-
24 nated, by striking “notwithstanding paragraphs

1 (1) and (2)” and inserting “Notwithstanding
2 subparagraphs (A) and (B)”;

3 (F) in the matter preceding subparagraph
4 (A), as so redesignated, by striking “The Sec-
5 retary” and all that follows through
6 “criteria—” and inserting the following:

7 “(1) AUTHORIZATION.—The Secretary is au-
8 thorized to provide grants to eligible applicants to
9 evaluate and reduce lead-based paint hazards and to
10 identify and correct other housing-related health
11 hazards in accordance with the provisions of this
12 section.

13 “(2) CRITERIA.—The Secretary may make a
14 grant under this section only to provide housing that
15 meets the following criteria:”; and

16 (G) by adding at the end the following:

17 “(3) INCOME VERIFICATION.—For the purpose
18 of verifying the income level of a family under sub-
19 paragraphs (A) and (B), the Secretary may establish
20 a process by which a grantee may first obtain and
21 use income and program participation information
22 from an entity administering—

23 “(A) the HOME Investment Partnerships
24 program under title II of the Cranston-Gon-

1 zalez National Affordable Housing Act (42
2 U.S.C. 12721 et seq.);

3 “(B) the special supplemental nutrition
4 program for women, infants, and children es-
5 tablished under section 17 of the Child Nutri-
6 tion Act of 1966 (42 U.S.C. 1786);

7 “(C) reduced price or free lunches under
8 the Richard B. Russell National School Lunch
9 Act (42 U.S.C. 1751 et seq.);

10 “(D) the weatherization assistance pro-
11 gram for low-income persons established under
12 part A of title IV of the Energy Conservation
13 and Production Act (42 U.S.C. 6861 et seq.);

14 “(E) the temporary assistance for needy
15 families program established under part A of
16 title IV of the Social Security Act (42 U.S.C.
17 601 et seq.);

18 “(F) the supplemental security income pro-
19 gram established under title XVI of the Social
20 Security Act (42 U.S.C. 1381 et seq.); or

21 “(G) any other program that the Secretary
22 determines is consistent with the family income
23 requirements of this section.”;

24 (3) by striking subsection (b) and inserting the
25 following:

1 “(b) ELIGIBLE APPLICANTS.—

2 “(1) LEAD-BASED PAINT HAZARDS.—

3 “(A) IN GENERAL.—A State or unit of
 4 general local government, as defined under sec-
 5 tion 104 of the Cranston-Gonzalez National Af-
 6 fordable Housing Act (42 U.S.C. 12704), that
 7 has an approved comprehensive housing afford-
 8 ability strategy under section 105 of the Cran-
 9 ston-Gonzalez National Affordable Housing Act
 10 (42 U.S.C. 12705), or an Indian tribe is eligible
 11 to apply for a grant to carry out activities
 12 under any of paragraphs (1) through (9) or
 13 (11) of subsection (e).

14 “(B) EXCEPTION.—A private nonprofit or-
 15 ganization shall be eligible to apply for a grant
 16 to carry out activities under paragraphs (1)
 17 through (9) or (11) of subsection (e) if the ap-
 18 plication adequately demonstrates that it is
 19 being submitted in partnership with the State
 20 or unit of general local government in which the
 21 activities will be carried out.

22 “(2) HOUSING-RELATED HEALTH HAZARDS.—A
 23 private nonprofit organization shall be eligible to
 24 apply for a grant to carry out activities under sub-
 25 section (e)(10).”;

1 (4) in subsection (c), in the matter preceding
2 paragraph (1), by striking “a State or unit of local
3 government” and inserting “an eligible applicant”;

4 (5) in subsection (d)—

5 (A) in paragraph (1)—

6 (i) by inserting “in the case of a grant
7 to carry out activities relating to lead-
8 based paint hazards,” before “the extent”;
9 and

10 (ii) by striking “housing” and insert-
11 ing “target housing or 0-bedroom dwellings
12 constructed before 1978”;

13 (B) in paragraph (2), by inserting “or
14 other housing-related health hazards” after
15 “lead-based paint hazards”;

16 (C) by redesignating paragraphs (2)
17 through (5) as paragraphs (3) through (6); and

18 (D) by inserting after paragraph (1) the
19 following:

20 “(2) in the case of a grant to carry out activi-
21 ties relating to housing-related hazards, the extent
22 to which the proposed activities will correct housing-
23 related health hazards;”;

24 (6) in subsection (e)—

1 (A) in paragraph (5), by inserting “renova-
2 tions, remodeling,” after “inspections,”;

3 (B) in paragraph (9)—

4 (i) by inserting “before and” after
5 “housing”; and

6 (ii) by striking “and” at the end;

7 (C) by redesignating paragraph (10) as
8 paragraph (11); and

9 (D) by inserting after paragraph (9) the
10 following:

11 “(10) provide for the assessment and correction
12 of housing-related health hazards and the evaluation
13 of the effectiveness of the assessment and correction;
14 and”;

15 (7) in subsection (l)—

16 (A) in paragraph (3), by inserting “in the
17 case of a grant to carry out activities relating
18 to lead-based paint hazards,” before “the abil-
19 ity”; and

20 (B) in paragraph (4), by inserting “and
21 other housing-related health hazards have been
22 corrected” after “abated”; and

23 (8) in subsection (n), by inserting “or Indian
24 tribe” after “State” each place that term appears.

1 **SEC. 5. AUTHORIZATION OF APPROPRIATIONS.**

2 Section 1011 of the Residential Lead-based Paint
3 Hazard Reduction Act of 1992 (42 U.S.C. 4852) is
4 amended by striking subsection (p) and inserting the fol-
5 lowing:

6 “(p) ALLOCATION OF AMOUNTS APPROPRIATED FOR
7 HOUSING-RELATED HEALTH HAZARDS.—

8 “(1) IN GENERAL.—Except as provided in para-
9 graph (2), not more than 25 percent of the amounts
10 made available under subsection (q) for a fiscal year
11 shall be available for grants to carry out activities
12 under subsection (e)(10).

13 “(2) EXCEPTION.—If an amount that is not
14 more than \$120,000,000 is appropriated for a fiscal
15 year, not more than \$30,000,000 of that amount
16 shall be available for grants to carry out activities
17 under subsection (e)(10) for that fiscal year.

18 “(q) AUTHORIZATION OF APPROPRIATIONS.—For
19 purposes of carrying out this subtitle, there are authorized
20 to be appropriated \$250,000,000 for each of fiscal years
21 2014 through 2018.”.

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