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. Johanns, 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.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

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

SEC. 2. FINDINGS.

Congress finds the following:

(1) Poor housing conditions contribute to a wide range of health conditions, including unintentional injuries, respiratory illness, asthma, and can-
cer, which disproportionately impact susceptible and
vulnerable populations, such as children, the poor,
minorities, and people with chronic medical condi-
tions.

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

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

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

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

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

(C) the installation of safety devices such
as smoke detectors and carbon monoxide alarms
to reduce injuries and death from fires and
malfunctioning equipment.
(5) The Federal Government must continue its leadership in demonstrating and implementing projects that support the national goal substantially reducing the number of homes in the United States with residential health and safety hazards.

SEC. 3. DEFINITIONS.

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

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

(2) by redesigning paragraph (11) as paragraph (13);

(3) by redesigning paragraphs (6) through (10) as paragraphs (7) through (11), respectively;

(4) by inserting after paragraph (5) the following:

“(6) ELIGIBLE APPLICANT.—The term ‘eligible applicant’ means a State, a unit of general local government, an Indian tribe, or a private nonprofit organization that meets the requirements of section 1101(b).”;

(5) by inserting after paragraph (11), as so re-designated, the following:
“(12) **HOUSING-RELATED HEALTH HAZARD.**—
The term ‘housing-related health hazard’ means any condition of residential real property that poses a risk of biological, physical, radiological, or chemical exposure that can adversely affect human health.”;
and

(6) by inserting after paragraph (13), as so redesignated, the following:

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

**SEC. 4. GRANT PROGRAM.**

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

(1) in the section heading, by striking “GRANTS FOR LEAD-BASED PAINT HAZARD REDUCTION IN TARGET HOUSING” and inserting “GRANTS FOR REDUCTION OF LEAD-BASED PAINT HAZARDS AND CORRECTION OF OTHER HOUSING-RELATED HAZARDS”;

(2) in subsection (a)—
(A) by redesignating paragraphs (1), (2), and (3) as subparagraphs (A), (B), and (D), respectively;

(B) in subparagraph (A), as so redesignated—

(i) by striking “for grants” and inserting “For grants”; and

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

(C) in subparagraph (B), as so redesigned—

(i) by striking “for grants” and inserting “For grants”; and

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

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

“(C) For grants made to carry out any of paragraphs (1) through (9) or (11) of subsection (e), the grants may not be used to assist federally assisted housing, federally owned housing, or public housing.”;

(E) in subparagraph (D), as so redesignated, by striking “notwithstanding paragraphs
(1) and (2)” and inserting “Notwithstanding subparagraphs (A) and (B)”;

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

“(1) AUTHORIZATION.—The Secretary is au-

(1) thorized to provide grants to eligible applicants to
evaluate and reduce lead-based paint hazards and to
identify and correct other housing-related health
hazards in accordance with the provisions of this
section.

“(2) CRITERIA.—The Secretary may make a

grant under this section only to provide housing that
meets the following criteria:”; and

(G) by adding at the end the following:

“(3) INCOME VERIFICATION.—For the purpose

of verifying the income level of a family under sub-
paragraphs (A) and (B), the Secretary may establish
a process by which a grantee may first obtain and
use income and program participation information
from an entity administering—

“(A) the HOME Investment Partnerships

program under title II of the Cranston-Gon-
• the National Affordable Housing Act (42 U.S.C. 12721 et seq.);

“(B) the special supplemental nutrition program for women, infants, and children established under section 17 of the Child Nutrition Act of 1966 (42 U.S.C. 1786);

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

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

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

“(F) the supplemental security income program established under title XVI of the Social Security Act (42 U.S.C. 1381 et seq.); or

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

(3) by striking subsection (b) and inserting the following:
“(b) Eligible Applicants.—

“(1) Lead-Based Paint Hazards.—

“(A) In general.—A State or unit of general local government, as defined under section 104 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12704), that has an approved comprehensive housing affordability strategy under section 105 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12705), or an Indian tribe is eligible to apply for a grant to carry out activities under any of paragraphs (1) through (9) or (11) of subsection (e).

“(B) Exception.—A private nonprofit organization shall be eligible to apply for a grant to carry out activities under paragraphs (1) through (9) or (11) of subsection (e) if the application adequately demonstrates that it is being submitted in partnership with the State or unit of general local government in which the activities will be carried out.

“(2) Housing-Related Health Hazards.—A private nonprofit organization shall be eligible to apply for a grant to carry out activities under subsection (e)(10).”;}
(4) in subsection (c), in the matter preceding paragraph (1), by striking “a State or unit of local government” and inserting “an eligible applicant”; 

(5) in subsection (d)—

(A) in paragraph (1)—

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

(ii) by striking “housing” and inserting “target housing or 0-bedroom dwellings constructed before 1978”;

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

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

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

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

(6) in subsection (e)—
(A) in paragraph (5), by inserting “renova-
tions, remodeling,” after “inspections,”;

(B) in paragraph (9)—

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

(ii) by striking “and” at the end;

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

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

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

(7) in subsection (l)—

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

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

(8) in subsection (n), by inserting “or Indian
tribe” after “State” each place that term appears.
SEC. 5. AUTHORIZATION OF APPROPRIATIONS.

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

“(p) Allocation of amounts appropriated for housing-related health hazards.—

“(1) In general.—Except as provided in paragraph (2), not more than 25 percent of the amounts made available under subsection (q) for a fiscal year shall be available for grants to carry out activities under subsection (e)(10).

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

“(q) Authorization of appropriations.—For purposes of carrying out this subtitle, there are authorized to be appropriated $250,000,000 for each of fiscal years 2014 through 2018.”.