

Fiscal Analysis

LEAD PAINT HAZARD; PENALTIES FOR LANDLORDS



Bill/Sponsor **HOUSE BILL 5115 as introduced, Rep. Artina Tinsley Hardman**

House Committee Judiciary

Analysis

Summary

House Bill 5115, as introduced, amends Part 54A of the Public Health Code regarding Lead Abatement. The bill provides that a person who rents or leases a rental unit known to contain lead-based paint hazards is guilty of a punishable misdemeanor, and must return all rental payments for the period of exposure to lead-based paint hazards. Convicted offenders could be penalized by imprisonment for not more than 90 days or a fine of not more than \$5,000 or both. A person's knowledge of a lead-based paint hazard would come from a lead inspection, risk assessment or lead hazard screen from a certified inspector.

Fiscal Impact

House Bill 5115 has a fiscal impact on state and local government due to implementation and enforcement of a new law. The conviction of offenders could result in increased local incarceration and probation costs and increased revenues from fines, which are directed constitutionally to local libraries.

According to a July 2003 State of Michigan report, there are 392,586 rental home properties in Michigan constructed prior to 1950, when the usage of lead-based paint was high. 2000 census data seem to indicate this number may be closer to approximately 300,000. It is unknown how many of these rental housing units currently are health hazards due to lead-based paint.

Analyst(s)

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COMMITTEE ANALYSIS - 1/26/04

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