

HB 724-FN - AS INTRODUCED

2025 SESSION

25-0698  
05/08

HOUSE BILL            **724-FN**

AN ACT                relative to lead paint poisoning prevention and remediation.

SPONSORS:            Rep. Hakken-Phillips, Graf. 12; Sen. Prentiss, Dist 5; Sen. Perkins Kwoka, Dist  
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COMMITTEE:          Health, Human Services and Elderly Affairs

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ANALYSIS

This bill lowers the childhood blood lead action level from 5 micrograms/deciliter to 3.5 micrograms/deciliter; mandates that municipal building permits include the EPA-RRP license number for any person engaged in renovation, repair, or painting of buildings erected prior to January 1, 1978; directs the department of health and human services to inspect the other dwelling units when one unit in a multi-unit building has a lead hazard; and creates a rebuttable presumption that pre-1978 housing contains lead hazards.

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Explanation:          Matter added to current law appears in ***bold italics***.  
Matter removed from current law appears ~~[in brackets and struckthrough.]~~  
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Twenty Five*

AN ACT relative to lead paint poisoning prevention and remediation.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

1 1 New Section; Lead Paint Poisoning Prevention and Control; Renovation, Repair, and Painting  
2 Certification Information on Building Permit Applications. Amend RSA 130-A by inserting after  
3 section 4 the following new section:

4 130-A:4-a Renovation, Repair, and Painting Certification Information on Building Permit  
5 Applications. All building permit applications shall require the EPA-RRP License Number for any  
6 person engaged in renovation, repair, or painting of buildings erected prior to January 1, 1978,  
7 pursuant to the EPA's renovation, repair, and painting rule under 40 CFR part 745, subpart E.

8 2 Lead Paint Poisoning Prevention and Control; Investigations; Blood Lead Level. Amend the  
9 introductory paragraph of RSA 130-A:5, I to read as follows:

10 I. The commissioner shall investigate cases of lead poisoning in children reported under  
11 RSA 141-A whose blood lead level meets or exceeds [5] **3.5** micrograms per deciliter of whole venous  
12 blood. The commissioner may also conduct investigations when there is reason to believe that a lead  
13 exposure hazard, as defined in RSA 130-A:1, XVI(b) and (d), for a child exists. Such investigations  
14 shall include, but not be limited to:

15 3 Lead Paint Poisoning Prevention and Control; Inspections. Amend RSA 130-A:6, I to read as  
16 follows:

17 I. The commissioner may, as part of an investigation conducted under RSA 130-A:5, conduct  
18 an inspection of any leased or rented dwelling or dwelling unit during business hours, or at a time  
19 mutually agreed upon with the owner or the owner's agent, for the purposes of identifying the  
20 presence of lead base substances. The commissioner shall provide the findings of the inspection to  
21 the occupant and to the owner or the owner's agent. If the leased or rented dwelling has multiple  
22 units, and if a lead exposure hazard is determined to exist during an investigation conducted under  
23 RSA 130-A:5, the commissioner [~~may~~] **shall** conduct inspections of all other dwelling units of the  
24 leased or rented dwelling [~~occupied by a child or pregnant woman~~] **units** with the owner or owner's  
25 agent for the purposes of identifying the presence of lead base substances. The commissioner shall  
26 provide the findings of the inspection to the occupant and the owner or the owner's agent. When a  
27 lead exposure hazard is determined to exist per RSA 130-A:1, XVI(a), (b), or (c), the commissioner  
28 shall issue an order in accordance with RSA 130-A:7 requiring lead hazard reduction to the owner  
29 and, if appropriate, to the owner's agent. When a lead exposure hazard is determined to exist per  
30 RSA 130-A:1, XVI(d), the commissioner may issue an order in accordance with RSA 130-A:7  
31 requiring lead hazard reduction to the owner and, if appropriate, to the owner's agent. The

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1 commissioner shall provide a copy of the order to the owner or owner's agent and to the occupant of  
2 the dwelling unit. The commissioner shall notify all tenants of the dwelling of lead exposure hazard  
3 findings in common areas. Upon request, the owner or owner's agent shall provide a copy of the  
4 order to the occupants of any dwellings or dwelling units located within the same lot at no charge.

5 4 New Section; Rebuttable Presumption. Amend RSA 130-A by inserting after section 18 the  
6 following section:

7 130-A:18-a Rebuttable Presumption of Lead in Pre-1978 Housing. For purposes of any  
8 enforcement action or civil action under this chapter, dwellings and dwelling units, including  
9 residential rental units, erected prior to January 1, 1978 are presumed to contain lead based  
10 substances, unless a lead inspector has determined the dwelling or dwelling unit does not contain  
11 lead based substances.

12 5 Effective Date. This act shall take effect 60 days after its passage.

**HB 724-FN- FISCAL NOTE  
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AN ACT relative to lead paint poisoning prevention and remediation.

**FISCAL IMPACT: This bill does not provide funding, nor does it authorize new positions.**

<b>Estimated State Impact</b>				
	<b>FY 2025</b>	<b>FY 2026</b>	<b>FY 2027</b>	<b>FY 2028</b>
<b>Revenue</b>	\$0	\$0	\$0	\$0
<i>Revenue Fund(s)</i>	None			
<b>Expenditures*</b>	\$0	\$740,000	\$726,000	\$744,000
<i>Funding Source(s)</i>	General Fund			
<b>Appropriations*</b>	\$0	\$0	\$0	\$0
<i>Funding Source(s)</i>	None			

\*Expenditure = Cost of bill

\*Appropriation = Authorized funding to cover cost of bill

**METHODOLOGY:**

This bill lowers from 5 micrograms per deciliter to 3.5 micrograms per deciliter the blood lead level that requires the Department of Health and Human Services to investigate cases of lead poisoning. In addition, the bill amends RSA 130-A:6 to require that the Department conduct inspections to identify the presence of lead-based substances in all other dwelling units within a multiple unit building that has a child with an elevated blood lead level living in one of the units.

The Department anticipates that as a result of the revised standard contained in the bill, the number of children with elevated blood lead levels will at least double. The current case load is 225 children, and the Department anticipates adding an approximate additional 280 impacted children. To address the increase in workload, the Department estimates a need for two full-time public health nurses, four part-time environmentalists at 29 hours per week (0.77 FTE each), and one full-time Supervisor IV to oversee the increased level of environmental inspections and the potential increase in compliance and enforcement actions. All positions assume a 9/1/25 start date. In addition, the Department anticipates the need for two additional vehicles to conduct inspections throughout the state (\$60,000 in FY26 only) and two X-Ray fluorescent analyzers (\$50,000 in FY26 only).

In addition, the Department notes that it currently contracts with the Manchester and Nashua health departments for nurse case management for children with elevated blood lead levels in

those areas. The Department estimates that the Manchester Health Department contract will need to be increased by \$30,000 annually, and the Nashua contract will increase by \$10,000 annually.

These costs are summarized as follows:

	<b>FY26</b>	<b>FY27</b>	<b>FY28</b>
2 Full-Time Public Health Nurses	\$202,000	\$240,000	\$246,000
4 Part-Time Environmentalists	\$271,040	\$311,080	\$320,320
1 Full-Time Supervisor IV	\$117,000	\$135,000	\$138,000
New Vehicles	\$60,000	\$0	\$0
X-Ray Fluorescent Analyzers	\$50,000	\$0	\$0
Local Public Health Contracts	\$40,000	\$40,000	\$40,000
<b>Total:</b>	<b>\$740,040</b>	<b>\$726,080</b>	<b>\$744,320</b>

**AGENCIES CONTACTED:**

Department of Health and Human Services