



General Assembly

**Substitute Bill No. 1268**

*January Session, 2001*

**AN ACT CONCERNING LEAD ABATEMENT STRATEGIES AND THE DISPOSAL OF CERTAIN HOUSING PROJECTS IN EAST HARTFORD.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 19a-111c of the general statutes is repealed and the  
2 following is substituted in lieu thereof:

3 The owner of any dwelling in which the paint, plaster or other  
4 materials contain toxic levels of lead and in which children under the  
5 age of six reside, shall abate or manage such dangerous materials  
6 consistent with regulations adopted pursuant to this section. The  
7 Commissioner of Public Health shall adopt regulations, in accordance  
8 with the provisions of chapter 54, establishing removal and abatement  
9 requirements and procedures for materials containing toxic levels of  
10 lead. The commissioner shall authorize, for purposes of inspecting  
11 paint conditions, the use of three classifications of paint conditions: (1)  
12 Good, (2) fair, and (3) poor. Such classifications shall result in an  
13 appropriate level of treatment. The commissioner shall authorize the  
14 use of any liquid, cementitious or flexible lead encapsulant product  
15 which complies with an appropriate standard for such products  
16 developed by the American Society for Testing and Materials or  
17 similar testing organization acceptable to the commissioner for the  
18 abatement of toxic levels of lead, unless the commissioner disapproves  
19 the use of any such product. The commissioner shall maintain a list of  
20 all such lead encapsulant products that may be used in this state for

21 the abatement of toxic levels of lead.

22 Sec. 2. Section 8-64a of the general statutes is repealed and the  
23 following is substituted in lieu thereof:

24 No housing authority which receives or has received any state  
25 financial assistance may sell, lease, transfer or destroy, or contract to  
26 sell, lease, transfer or destroy, any housing project or portion thereof in  
27 any case where such project or portion thereof would no longer be  
28 available for the purpose of low or moderate income rental housing as  
29 a result of such sale, lease, transfer or destruction, except the  
30 Commissioner of Economic and Community Development may grant  
31 written approval for the sale, lease, transfer or destruction of a housing  
32 project if the commissioner finds, after a public hearing, that (1) the  
33 sale, lease, transfer or destruction is in the best interest of the state and  
34 the municipality in which the project is located, (2) an adequate supply  
35 of low or moderate income rental housing exists in the municipality in  
36 which the project is located, (3) the housing authority has developed a  
37 plan for the sale, lease, transfer or destruction of such project in  
38 consultation with the residents of such project and representatives of  
39 the municipality in which such project is situated and has made  
40 adequate provision for said residents' and representatives'  
41 participation in such plan, and (4) any person who is displaced as a  
42 result of the sale, lease, transfer or destruction will be relocated to a  
43 comparable dwelling unit of public or subsidized housing in the same  
44 municipality or will receive a tenant-based rental subsidy and will  
45 receive relocation assistance under chapter 135. The commissioner  
46 shall consider the extent to which the housing units which are to be  
47 sold, leased, transferred or destroyed will be replaced in ways which  
48 may include, but need not be limited to, newly constructed housing,  
49 rehabilitation of housing which is abandoned or has been vacant for at  
50 least one year, or new federal, state or local tenant-based or project-  
51 based rental subsidies. The commissioner shall give the residents of the  
52 housing project or portion thereof which is to be sold, leased,  
53 transferred or destroyed written notice of said public hearing by first  
54 class mail not less than ninety days before the date of the hearing. Said

55 written approval shall contain a statement of facts supporting the  
56 findings of the commissioner. This section shall not apply to the sale,  
57 lease, transfer or destruction of a housing project pursuant to the terms  
58 of any contract entered into before June 3, 1988. This section shall not  
59 apply to (A) [phase] Phase I of Father Panik Village in Bridgeport,  
60 [and] (B) Elm Haven in New Haven, and (C) Daley Court, Veteran's  
61 Terrace and Veteran's Terrace Extension in East Hartford.

**HSG**      *JOINT FAVORABLE SUBST. C/R*      PD

**PD**      *JOINT FAVORABLE SUBST. C/R*      APP