


Government of the District of Columbia  
Office of the Chief Financial Officer



**Natwar M. Gandhi**  
Chief Financial Officer

**MEMORANDUM**

**TO:** The Honorable Vincent C. Gray  
Chairman, Council of the District of Columbia

**FROM:** Natwar M. Gandhi   
Chief Financial Officer

**DATE:** November 18, 2010

**SUBJECT:** Fiscal Impact Statement – “Lead Hazard Prevention and Elimination Amendment Act of 2010”

**REFERENCE:** Bill Number 18-64, Draft Shared with the OCFO on November 17, 2010

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**Conclusion**

Funds are sufficient in the FY 2011 through FY 2014 budget and financial plan to implement the proposed legislation.

**Background**

The proposed legislation would amend and make technical changes to several provisions in the Lead Hazard Prevention and Elimination Act of 2008 (“Act”).<sup>1</sup> This includes modifying the definition of “lead-based paint” by reducing the amount of lead from 1.0 mg/cm<sup>2</sup> to .7 mg/cm<sup>2</sup>; requiring an owner of a residential property constructed before 1978 to provide a lead hazard report prior to finalizing any contract to purchase or lease the property; expanding protections for pregnant women and children under the age of six; and increasing the permitted uses of the Lead Poisoning Prevention Fund. The proposed legislation also allows the use of first class mail for the delivery of notices and orders required by the Act. Current law requires the use of certified mail.

**Financial Plan Impact**

Funds are sufficient in the FY 2011 through FY 2014 budget and financial plan to implement the proposed legislation. According to the District Department of the Environment (“DDOE”), to implement the proposed legislation, its Lead and Healthy Housing Division would be required to test for lead on concrete or other rough exterior surfaces and revise the Lead Warning Statement

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<sup>1</sup> Effective March 31, 2009. (D.C. Law 17-381; D.C. Official Code § 8-231 *et seq.*)

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and lead hazard information pamphlet. Costs associated with these new requirements would be offset by the potential savings on postage (since DDOE would no longer be required to use certified mail), and by consolidating some of the agency's reporting requirements. As a result, the impact of the proposed legislation can be absorbed with existing resources.