



June 24, 2019

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SENATE FLOOR ALERT

AB 206 (Chiu) – Public nuisance: abatement: lead-based paint. As Amended March 14, 2019 – SUPPORT Senate Third Reading File

The California State Association of Counties (CSAC), representing all 58 of the state's counties, writes in support of Assembly Bill 206 by Assembly Member David Chiu. This measure would protect property owners from frivolous lawsuits threatened by lead paint manufacturers.

Lead is a highly toxic metal that is particularly harmful to the health of young children and exposure can cause various medical conditions such as coma, convulsions, reduced educational attainment, and increased antisocial behavior. No level of exposure to lead is considered safe. Household paint that contained lead was sold and used in California until it was banned for residential use in 1978. All homes in the state built before 1978 are presumed to contain lead paint. Deteriorated lead paint contaminates the air, floors, and other surfaces in the home, as well as soil surrounding the home. Deteriorated lead paint is the most common cause of lead poisoning in children living in pre-1978 homes. In 2014 alone 10,331 children throughout California tested positive for lead poisoning.

In 2000, a coalition of ten California cities and counties brought litigation on behalf of the People of the State of California (*People of the State of California V. Atlantic Richfield, Company, et al.*) against former lead paint manufacturers ("Manufacturers"). The litigation alleged that the Manufacturers sold lead-contaminated paint that they knew was highly toxic to young children and created a public nuisance that threatens the health of California's children to this day. In 2014, a judge issued a \$1.15 billion judgment in favor of the People, ruling that the Manufacturers were liable for the harm that they created. The Court's judgement ordered the creation of an abatement program – funded by the defendants, which will direct hundreds of millions of dollars to the remediation of lead-based paint hazards in homes located within the ten counties and cities.

AB 206 insulates property owners and public entities from threats of legal action if they participate in the abatement program created by the judgment. This is necessary to implement the judgement effectively and maximize use of the abatement program.

It is for these reasons that CSAC supports AB 206 and respectfully requests your **AYE** vote. If you have any questions or concerns about our position, please do not hesitate to contact Jessica Devencenzi, Legislative Representative at jdevencenzi@counties.org or 916.650.8131.

cc: The Honorable David Chiu, California State Assembly