

Department of Planning and Budget 2006 Fiscal Impact Statement

1. **Bill Number** HB 889

House of Origin	<input type="checkbox"/> Introduced	<input type="checkbox"/> Substitute	<input type="checkbox"/> Engrossed
Second House	<input type="checkbox"/> In Committee	<input type="checkbox"/> Substitute	<input checked="" type="checkbox"/> Enrolled

2. **Patron** Kilgore

3. **Committee** Passed Both Houses

4. **Title** Immunity from liability for lead-based paint maintenance

5. **Summary/Purpose:** The bill adds a definition of "lead-based paint maintenance" to the existing immunity from liability statute for lead-based paint poisoning. The bill would grant immunity to the owner or agent of residential property if the owner or agent who is responsible for lead-based paint maintenance discloses to the lessee the presence of any known lead-based paint and/or lead-based paint hazards about which the owner has actual knowledge. Such disclosure requirements would continue through the tenancy if new information arises. The bill would allow a hearing on responsive pleadings that assert such immunity at an early stage in the judicial process, i.e. before proceedings on the merits of the tenant's claim.

6. **Fiscal impact:** There would be no significant fiscal impact associated with the bill.

7. **Budget amendment necessary:** No.

8. **Fiscal implications:** See Item 6.

9. **Specific agency or political subdivisions affected:** Department of Housing and Community Development.

10. **Technical amendment necessary:** No.

11. **Other comments:** None.

Date: 03/10/2006 / mar

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cc: Secretary of Commerce and Trade