



**Testimony in Opposition to Representative Merrin's Amendment to the Budget Bill  
that Would Increase Lead Poisoning in Children  
The Ohio Senate  
Finance – Health and Medicaid Subcommittee  
May 17, 2017 | Columbus, Ohio**

Chairman Hackett, Vice Chair Tavares and Members of the Committee:

**Background & Statement of Interest**

My name is Paula Hicks-Hudson and I am the Mayor of Toledo. For the past four years, I have been working on a local ordinance to prevent Toledo's children from becoming poisoned due to exposure from lead hazards in rental properties.

Existing state law turns Ohio's children into human lead detectors. According to the CDC, there is no safe level of lead in a child's blood. The effects of exposure to lead in children are devastating and include: damage to the brain and nervous system, slowed development, learning and behavioral problems. Moreover, the signs and symptoms of lead poisoning are hard to detect and usually don't appear until large amounts of lead have accumulated in a child's system. And lead poisoning disproportionately affects children from low-income families and African Americans.

Lead poisoning can decrease IQs, cause juvenile delinquency and criminal behavior and increases the need for more special education in our public schools. Literally, many of the societal burdens the budget attempts to address including health, criminal justice and education could be significantly lightened if we could stop children from becoming poisoned.

The good news is that we can! There is simply no reason why so many of our children have to become lead-poisoned.

One of the most common forms of exposure to lead is from deteriorated paint in rental properties. Lead paint was banned in the United States in 1978, but unfortunately it still is present in older housing stock. But full lead abatement is not necessary to make rental properties safe for children. Making sure that paint in rental properties is not in a deteriorated condition and that bare soil is covered will significantly decrease the risk that children living in these properties will become

But state law does not take a proactive approach in addressing lead hazards in rental property. After a child has been found to be lead poisoned, an investigation is conducted to determine the source of the poisoning. If the home the child lives in is found to be the source of the poisoning,

the house is ordered to be abated. There are many problems with this approach. First of all, many children suffering from lead poisoning are undiagnosed. Therefore dangerous housing conditions continue to exist. But more importantly, this approach only requires action after a child has been already been poisoned.

There is a better way. The City of Rochester, New York added a lead-paint inspection requirement to its housing code for rental properties. The Rochester approach is estimated to have reduced the cases of lead poisoning by more than 80%. After studying and debating this issue for four years, Toledo adopted a similar approach.

The Toledo Lead Law does not require abatement. Landlords must have their properties inspected every six years to make sure that they are “lead safe.” Lead safe simply means that bare soil is covered, the paint is in good condition and there is no lead dust in the property.

Toledo conducted many meetings and took hours of testimony from landlords, families and health officials before enacting the present version of the lead law.

Representative Merrin has introduced an amendment into the budget bill that purports to preempt Toledo from enacting this thoughtful and proactive approach. Setting aside the serious questions of whether or not the Merrin amendment violates the Ohio Constitution’s Home Rule provision, the Merrin amendment is both poorly drafted and bad policy.

Any delay in the implementation of Toledo’s lead law dooms more children to becoming poisoned. I ask that this Committee strike Representative Merrin’s addition to the budget bill. Should the General Assembly desire to examine this serious problem of lead poisoning in children, the City of Toledo would gladly welcome the discussion and to be part of state-wide solution. As it stands, the Merrin amendment simply attempts to protect landlords who are willing to put dangerous rental properties on the market that will continue to harm children.

Please allow cities who want to protect children to enact reasonable evidence-based, proactive approaches to the problem of lead poisoning in rental properties.

Thank you for the opportunity to testify. I would be happy to answer any questions.