

THE CITY OF PROVIDENCE
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

RESOLUTION OF THE CITY COUNCIL

No. 232

Approved May 11, 2001

STATE REGISTRATION
FILED TO COMPLY WITH
CIVIL RECORDING
CITY

RESOLVED, That the Members of the Providence City Council
hereby endorse and urge Passage by the General Assembly of Senate Bill
2001-S 0739 and House Bill 2001-H 5832 Relating to Lead Paint Actions, in
substantially the form attached.

IN CITY COUNCIL
MAY 10, 2001
READ AND PASSED

Baldwin A. Gray
PRES. Acting
Michael R. Clement
CLERK

APPROVED

MAY 11 2001

Vincent Rana
MAYOR

READ AND PASSED
IN CITY COUNCIL

IN CITY COUNCIL
APR 5 2001
FIRST READING
REFERRED TO COMMITTEE ON
STATE LEGISLATION

Michael R. Cline CLERK
C

THE COMMITTEE ON
State Legislation
Recommends Approval
Claire E. Burtch
May 2, 2001 CLERK

Carrollman Allen (By request)

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2001

01-S 0739

A N A C T

RELATING TO LEAD PAINT ACTIONS

01-S 0739

Introduced By: Senators Goodwin, Roney, Kells and Perry

Date Introduced: February 14, 2001

Referred To: Senate Committee on Judiciary

It is enacted by the General Assembly as follows:

SECTION 1. Chapter 9-1 of the General Laws entitled "Causes of Action" is hereby amended by adding thereto the following section:

9-1-14.5. Limitation on lead paint actions. -- Any action brought by or on behalf of any city, town, school committee or district, housing authority or any other agency or political subdivision of any city or town to recover any costs associated with lead paint/pigment and/or tetraethyl lead corrective actions, including, but not limited to, the removal and replacement of lead paint/lead paint pigment and materials containing them, the costs of special education and other education and other costs incurred on behalf of individuals damaged by exposure to lead paint/pigment and/or tetraethyl lead, the costs of any and all public education efforts related to the hazards of lead paint/pigment and/or tetraethyl lead, the costs of code enforcement, the costs of housing court, the costs of health care/screening programs/testing programs/medication, and the like necessitated by exposure to lead paint/pigment and/or tetraethyl lead, the recovery of all and any other legally recoverable damages resulting from lead exposure, lead pigment and/or tetraethyl lead exposure shall be commenced only within ten (10) years next after such city, town, school committee or district, housing authority or any other agency or political subdivision of any city or town incurred such expense.

(b) Notwithstanding the provisions of subsection (a), any city, town, school committee or district, housing authority or any other agency or political subdivision of any city or town may

01-S 0739

- 1 commence an action to recover any of the costs enumerated in subsection (a) even if the recovery
2 of all such costs would otherwise be barred as a result of the expiration of the applicable period
3 of limitation of action of any time prior to January 1, 2002, provided, however, that such action is
4 commenced prior to January 1, 2002. It is a specific intent of this legislation to, retroactively
5 revive any time-barred causes of action concerning the above claims.
6 SECTION 2. This act shall take effect upon passage.

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LC01203
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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO LEAD PAINT ACTIONS

- 1 This act provides a statute of limitation in which certain entities may bring a law suit for
2 damages involving lead paint.
3 This act would take effect upon passage.

2001 --

LC01066

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

01-H 5832

JANUARY SESSION, A.D. 2001

A N A C T

RELATING TO LEAD PAINT ACTIONS

2001-H 5832

Introduced By: Reps. McCauley, Williams, Slater,
DeSimone and Smith

Date Introduced: February 6, 2001

Referred To: Committee on Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 9-1 of the General Laws entitled "Causes of Action" is hereby
2 amended by adding thereto the following section:

3 9-1-14.5. Limitation on lead paint actions. -- Any action brought by or on behalf of
4 any city, town, school committee or district, housing authority or any other agency or political
5 subdivision of any city or town to recover any costs associated with lead paint/pigment and/or
6 tetraethyl lead corrective actions, including, but not limited to, the removal and replacement of
7 lead paint/lead paint pigment and materials containing them, the costs of special education and
8 other education and other costs incurred on behalf of individuals damaged by exposure to lead
9 paint/pigment and/or tetraethyl lead, the costs of any and all public education efforts related to the
10 hazards of lead paint/pigment and/or tetraethyl lead, the costs of code enforcement, the costs of
11 housing court, the costs of health care/screening programs/testing programs/medication, and the
12 like necessitated by exposure to lead paint/pigment and/or tetraethyl lead, the recovery of all and
13 any other legally recoverable damages resulting from lead exposure, lead pigment and/or
14 tetraethyl lead exposure shall be commenced only within ten (10) years next after such city, town,
15 school committee or district, housing authority or any other agency or political subdivision of any
16 city or town incurred such expense.

17 (b) Notwithstanding the provisions of subsection (a), any city, town, school committee
18 or district, housing authority or any other agency or political subdivision of any city or town may

01-H 5832

1 commence an action to recover any of the costs enumerated in subsection (a) even if the recovery
2 of all such costs would otherwise be barred as a result of the expiration of the applicable period
3 of limitation of action of any time prior to January 1, 2002, provided, however, that such action is
4 commenced prior to January 1, 2002. It is a specific intent of this legislation to, retroactively
5 revive any time-barred causes of action concerning the above claims.

6 SECTION 2. This act shall take effect upon passage.

LC01066

EXPLANATION

BY THE LEGISLATIVE COUNCIL

OF

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RELATING TO LEAD PAINT ACTIONS

1 This act provides a statute of limitation in which certain entities may bring a law suit for
2 damages involving lead paint.

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