

### §1319-C. Screening for potential lead hazards

**1. Annual screening required.** The department shall require a child care facility and the premises of a family child care provider as defined in chapter 1673 and a nursery school as defined in chapter 1675 to have an annual screening for potential lead hazards. If potential lead hazards are identified, a full lead inspection must be conducted.

[PL 2005, c. 530, §2 (AMD).]

**1-A. Lead-safe status.** A facility found to have lead hazards shall abate or remediate the hazards to at least a lead-safe status.

[PL 2003, c. 421, §4 (NEW).]

**2. Exemptions.** A facility may be exempt from subsection 1 if:

A. The facility was constructed in 1978 or later; [PL 1999, c. 276, §10 (NEW).]

B. The facility has been certified as lead-safe within the previous 12 months; [PL 1999, c. 276, §10 (NEW).]

C. The facility has been certified as lead-free; or [PL 1999, c. 276, §10 (NEW).]

D. The facility does not serve any children under 6 years of age. [PL 1999, c. 276, §10 (NEW).]  
[PL 2003, c. 421, §5 (AMD).]

**3. Approval dependent on compliance.** As of July 1, 1998, a family child care provider, child care facility or nursery school may not be licensed, registered or otherwise approved or receive any state funds unless it is in compliance with this section.

[PL 2021, c. 35, §1 (AMD).]

#### SECTION HISTORY

PL 1999, c. 276, §10 (NEW). PL 2003, c. 421, §§3-5 (AMD). PL 2005, c. 530, §§2,3 (AMD).  
PL 2021, c. 35, §1 (AMD).

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