

SENATE FLOOR AMENDMENT

Second Reading

BY SENATOR Williams A.

1 Amend reengrossed bill, page 5, line 6, strike "(2.3) and (2.5)" and
2 substitute "(2.2), (2.3), and (2.5)".

3 Page 5, line 7, strike "A" and substitute "EXCEPT AS DESCRIBED IN
4 SUBSECTION (2.2) OF THIS SECTION, a".

5 Page 5, after line 23 insert:

6 "(2.2) IN A CASE IN WHICH A RESIDENTIAL PREMISES HAS MOLD
7 THAT IS ASSOCIATED WITH DAMPNESS, OR THERE IS ANY OTHER CONDITION
8 CAUSING THE RESIDENTIAL PREMISES TO BE DAMP, WHICH CONDITION, IF
9 NOT REMEDIED, WOULD MATERIALLY INTERFERE WITH THE LIFE, HEALTH,
10 OR SAFETY OF A TENANT, A LANDLORD BREACHES THE WARRANTY OF
11 HABITABILITY IF THE LANDLORD FAILS:

12 (a) WITHIN TWENTY-FOUR HOURS, TO MITIGATE IMMEDIATE RISK
13 FROM MOLD BY INSTALLING A CONTAINMENT, STOPPING ACTIVE SOURCES
14 OF WATER TO THE MOLD, AND INSTALLING A HIGH-EFFICIENCY
15 PARTICULATE AIR FILTRATION DEVICE TO REDUCE TENANTS' EXPOSURE TO
16 MOLD;

17 (b) TO MAINTAIN THE CONTAINMENT DESCRIBED IN SUBSECTION
18 (2.2)(a) OF THIS SECTION UNTIL THE ACTIONS DESCRIBED IN SUBSECTION
19 (2.2)(c) OF THIS SECTION ARE EXECUTED; AND

20 (c) WITHIN A REASONABLE AMOUNT OF TIME, TO EXECUTE THE
21 FOLLOWING REMEDIAL ACTIONS TO REMOVE THE HEALTH RISK POSED BY
22 MOLD:

23 (I) ESTABLISH APPROPRIATE PROTECTIONS FOR WORKERS AND
24 OCCUPANTS;

25 (II) ELIMINATE OR LIMIT MOISTURE SOURCES AND DRY ALL
26 MATERIALS;

27 (III) DECONTAMINATE OR REMOVE DAMAGED MATERIALS AS
28 APPROPRIATE;

29 (IV) EVALUATE WHETHER THE PREMISES HAS BEEN SUCCESSFULLY
30 REMEDIATED; AND

31 (V) REASSEMBLE THE PREMISES TO CONTROL SOURCES OF
32 MOISTURE AND NUTRIENTS AND THEREBY PREVENT OR LIMIT THE
33 RECURRENCE OF MOLD."

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