

SECOND REGULAR SESSION

# SENATE BILL NO. 1526

## 103RD GENERAL ASSEMBLY

INTRODUCED BY SENATOR BURGER.

6222S.01I

KRISTINA MARTIN, Secretary

### AN ACT

To repeal sections 643.263 and 643.265, RSMo, and to enact in lieu thereof one new section relating to asbestos testing.

*Be it enacted by the General Assembly of the State of Missouri, as follows:*

Section A. Sections 643.263 and 643.265, RSMo, are 2 repealed and one new section enacted in lieu thereof, to be 3 known as section 643.263, to read as follows:

643.263. 1. Each public school district and private  
2 or parochial school in Missouri shall [report to the  
3 department of health and senior services] **maintain any**  
4 **reports relating to** the results of the examination of its  
5 structures for friable asbestos as required by the  
6 Environmental Protection Agency under the Toxic Substances  
7 Control Act, PL 94-469. [All such reports shall be filed  
8 with the department of health and senior services before  
9 March 1, 1987.] Other political subdivisions shall [assess]  
10 **maintain assessments relating to** asbestos in buildings  
11 owned, leased or operated by the political subdivisions and  
12 [report] **reports relating to** the results of the examination  
13 of its structures for friable asbestos [to the department of  
14 health and senior services by December 31, 1991]. The  
15 results of the assessment shall be public information and  
16 shall be readily available to the public and employees of

**EXPLANATION-Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.**

17 each political subdivision and each school district and  
18 private and parochial school.

19       2. If the assessment indicates the presence of  
20 asbestos-containing materials, the report shall identify the  
21 location of all materials containing asbestos, the location  
22 and square footage of friable asbestos, the average number  
23 of persons exposed, the percent of asbestos found in the  
24 material, the test used to assess the material and plans for  
25 management of any friable asbestos. The report shall also  
26 describe any plans for interim measures, such as treating or  
27 covering friable asbestos, to be taken pending management of  
28 the material. Any political subdivision, any school  
29 district and any private or parochial school which adopts  
30 interim measures or which has not completed its management  
31 plan shall reevaluate the material biennially and report its  
32 findings [to the department of health and senior services  
33 and make its findings available] to its employees and the  
34 public. Any political subdivision, any school district and  
35 any private or parochial school which identifies nonfriable  
36 asbestos shall, no less often than every three years,  
37 reevaluate the material and report its findings [to the  
38 department of health and senior services and make its  
39 findings available] to its employees and the public. [The  
40 department of health and senior services shall provide  
41 technical assistance including training, consultation and  
42 inspection upon request to political subdivisions in  
43 identifying buildings owned, leased or operated by political  
44 subdivisions which have asbestos-containing materials.

45       3. The department of health and senior services shall  
46 annually provide the department of elementary and secondary  
47 education with a list of all public school districts whose  
48 buildings contain friable asbestos.

49       4. The department of health and senior services shall,  
50       in cooperation with the office of administration, assess  
51       asbestos in buildings owned, operated or leased by the state  
52       of Missouri and report its findings to the office of  
53       administration.]

2       [643.265. The department of health and  
3       senior services and the department of natural  
4       resources shall develop an interagency agreement  
5       establishing agency responsibilities and  
6       procedures concerning asbestos reporting,  
7       removal and treatment. The department of health  
8       and senior services is hereby designated the  
9       state agency for the administration of loans and  
10       grants under the Asbestos School Hazard  
11       Abatement Act of 1984, Public Law 98-377, and  
12       other federally funded loan or grant programs  
      for the abatement of asbestos.]

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