

FIRST REGULAR SESSION

# SENATE BILL NO. 231

90TH GENERAL ASSEMBLY

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INTRODUCED BY SENATOR BANKS.

Read 1st time January 11, 1999, and 1,000 copies ordered printed.

S0858.011

TERRY L. SPIELER, Secretary.

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## AN ACT

To repeal section 701.316, RSMo 1994, relating to lead-bearing substance activities, and to enact in lieu thereof one new section relating to the same subject.

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

Section A. Section 701.316, RSMo 1994, is repealed and one new section enacted in lieu thereof, to be known as section 701.316, to read as follows:

701.316. 1. Except as otherwise authorized by subsection 2 of section 701.310, no person shall engage in or conduct lead-bearing substance activities without having successfully completed a [department] **department-accredited** or United States Environmental Protection [Agency accredited] **Agency-accredited** training program and without having been licensed by the department.

2. The department shall develop and periodically update lists of all licensed inspectors, contractors, supervisors, workers, and other persons who perform lead hazard inspection and abatement and shall make such lists available free of charge to interested parties and the public.

3. The department may restrict, revoke, suspend or deny any license at any time if it believes that the terms or conditions of such license are being violated or that the holder of, or applicant for, the license has violated any regulation of the department or any [other] state law or regulation, or any federal law or regulation, or the laws or regulations of other states. The restriction, revocation, suspension or denial shall be effective immediately. Any person aggrieved by a determination by the department to restrict, [deny,] revoke, [or] suspend **or deny** any license may request a hearing before the administrative hearing commission within thirty days of receipt of the notice of license restriction, revocation, suspension or denial. The licensure shall

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

remain restricted, revoked, suspended or denied while the hearing is pending.

4. The director may issue an immediate cease-work order to any person who violates the terms or conditions of any license issued pursuant to any provision of sections 701.300 to 701.338 or any regulation promulgated pursuant to sections 701.300 to 701.338 if, in the best judgment of the director, such violation presents a health risk to any person.

**5. The director shall assess fees for licenses and accreditation in accordance with rules or regulations promulgated pursuant to sections 701.300 to 701.330. All such fees shall be deposited into the state treasury to the credit of the Missouri public health services fund, established in section 192.900, RSMo.**

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