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**Testimony**  
**Of Preston Niblack, Deputy Director,**  
**Before the City Council Committee on Housing and Buildings**  
**On Intro 101A,**  
**The New York City Childhood Lead Poisoning Prevention Act of 2003**

**November 17, 2003**

Good afternoon, Chairwoman Provenzano and members of the committee. I am Preston Niblack, deputy director at the Independent Budget Office. Thank you for inviting us to testify today on the current draft of Intro 101A, the Childhood Lead Poisoning Prevention Act.

This most recent version of Intro 101A contains several changes with fiscal impacts for the city. Taken together, however, these changes largely cancel each other out. IBO estimates the annual expense budget cost of the current version of Intro 101A to be \$17.4 million.

- The current version would require the Department of Housing Preservation and Development (HPD) to inspect all units with a child under the age of 7 in any building in which a lead violation has been placed. We estimate the cost of this provision at approximately \$2.5 million. The administration has raised concerns about the interpretation of this provision that, if correct, would lead to a higher cost.
- The definition of lead-based paint has been returned to 1.0 milligram per square centimeter, which will lower costs by about \$2 million because fewer violations will be placed.
- HPD would be required to send an inspector with an x-ray fluorescence (XRF) analyzer on every lead inspection. Although this will result in fewer inspections overall, they will be more extensive and costly. In addition, this will require the purchase of new XRF analyzers by HPD. This would most likely be a capital-eligible cost.
- The provisions in the previous version affecting the Departments of Education and Parks and Recreation have been removed from the current draft. Provisions regarding lead remediation in day care centers remain, but we remain unable to provide an estimate of those costs with any degree of confidence.

On the capital budget side, the current version eliminates provisions relating to the Departments of Education and Parks and Recreation that would have resulted in capital budget costs—\$14 million in IBO's previous estimate, and about \$56 million according to the Administration's estimate.

I would be happy to answer any questions you may have.