



**Testimony before the Labor Committees of the New York State Senate and Assembly  
Regarding the Governor’s Proposed FY 2026-27 Budget**

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Thank you for the opportunity to provide testimony on Governor Hochul’s draft proposed budget for fiscal year 2026-27. My name is Gabrielle Gonzales and I’m the Environmental Justice and Health Project Manager at Clean+Healthy, which has a mission of building a just and healthy world where toxic chemicals are simply unthinkable. We also have the privilege of co-leading with WE ACT for Environmental Justice, the Lead Free Kids NY coalition, which is a growing statewide coalition of individuals, groups and organizations working together to end childhood lead exposure and poisoning in New York by advocating for state-level policy solutions to eliminate lead hazards in housing and other community settings.

**Background**

In 1978, the sale and use of lead-based paints in residential properties was banned in the United States.<sup>1</sup> New York City led the way with a ban on the sale and use of lead-based paint in residential buildings in 1960<sup>2</sup> and New York State in 1970<sup>3</sup>. Sadly, even today in 2026, we continue to see these leaded homes poisoning children, residents, and contractors across the state.

Communities of color are among the highest demographics with elevated blood lead levels (EBLLs), which in New York State are levels above 5 micrograms per deciliter.<sup>4</sup> The CDC has lowered the reference level to 3.5 micrograms per deciliter<sup>5</sup>, but New York has not made this adjustment because our health department has concerns around adding a new population of children to the department’s caseload. Upstate communities are facing incredibly high rates of

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<sup>1</sup> <https://www.epa.gov/lead/protect-your-family-sources-lead>

<sup>2</sup> <https://council.nyc.gov/data/lead-in-nyc-homes/>

<sup>3</sup>

<https://www.environmentaleducation.com/documents/Lead%20Resources/NYS%20Regulations%20Summary%2011%2030%2023.pdf>

<sup>4</sup> [DOI: 10.1097/PHH.0000000000000891](https://doi.org/10.1097/PHH.0000000000000891)

<sup>5</sup> <https://www.cdc.gov/lead-prevention/php/news-features/updates-blood-lead-reference-value.html>

EBLLs. Buffalo, for example, has one of the most decrepit housing stock in the United States due to segregation, disinvestment, and depopulation. In 2016, about 40% of the tested children in Buffalo had EBLL.<sup>6</sup> Other communities such as Syracuse are seeing one in five children having elevated blood lead levels.<sup>7</sup>

We have been aware that lead is harmful for the body, since as early as 2000 BC.<sup>8</sup> The burden of lead poisoning in the workplace has consistently been placed on the working class. In the 18th, 19th, and 20th centuries, the worst outbreaks of lead poisoning seen in adult populations were due to occupational hazards. Women that worked in the cottage ceramic industry were seen to have children that were not healthy. Men in smelters were getting sick. Over time we realized that laws and protections in the workplace were necessary to protect public health. Looking to today, we are still facing an issue with workplace exposures to lead.

In 2023, PHL1377 “The Rental Registry and Proactive Inspection Program” was incorporated into the budget as a budget bill and has now become law that we see lots of potential in serving the State and communities that will be enacting it. The intention of the registry is to ensure that multi-dwelling rental housing in top 25 communities of concern outside of New York City are free of lead paint hazards, and to provide a public registry so that the public can determine the lead hazard status of these units. There was about \$18.5M dedicated to this program in the governor’s budget under State Operations and Aid to Localities. We ask that it be raised to \$20M and that the reappropriations get pulled down so that the municipalities are able to buy the required equipment, staff themselves properly, and have the necessary resources to do thorough outreach and education in their communities.

Due to the Rental Registry, we are expecting that there will be an uptick in repairs needed in units, so that they are able to pass inspections. These necessary repairs will result in contractors directly disturbing lead-based paint; so in order to not get these workers or the residents of the units sick, we need an emphasis on lead-safe work practices. The Renovation, Repair, and Painting Program (RRP) is overseen by the Environmental Protection Agency (EPA) Region 2. This region includes New Jersey, New York, Puerto Rico, the U.S. Virgin Islands and eight Indian Nations.<sup>9</sup> It is nearly impossible for the EPA to properly oversee this program and be in all the places they need to be to ensure compliance. **For that reason, the Coalition urges the State co-enforce or fully adopt the RRP program in New York State. It is recommended that for the success of this program, the internal infrastructure of the program is built out in conjunction with the asbestos program that is nested within the Department of Labor (DOL).**

New York State taking over the RRP rule would be financially beneficial to the State, as it could take over collection of fees for training and certification. Additionally, it offers the

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<sup>6</sup> <https://www.dw.com/en/lead-poisoning-reveals-environmental-racism-in-the-us/a-53335395>

<sup>7</sup> <https://www.nrdc.org/press-releases/syracuse-lead-levels-among-highest-detected-drinking-water-decades-higher-flint-and>

<sup>8</sup> [https://www.biologicaldiversity.org/campaigns/get\\_the\\_lead\\_out/pdfs/health/Needleman\\_1999.pdf](https://www.biologicaldiversity.org/campaigns/get_the_lead_out/pdfs/health/Needleman_1999.pdf)

<sup>9</sup> <https://www.epa.gov/aboutepa/epa-region-2>

opportunity to tailor the rollout and execution of the program to the needs of the State. To leverage a State system that is already working well and engaging the same population of people doing renovations and repairs in homes, a new NYS RRP program should be housed in the Department of Labor alongside the asbestos program that is already running so well across the state. It would allow the new program to utilize the already existing infrastructure and industry relationships. It would also increase the revenue for that department so they could both grow. Many states' lead programs are revenue neutral or generating, making it a wise investment for New York State.

In 2020, New York had 7,726 RRP certified firms, according to the EPA's website.<sup>10</sup> Based on the certification cycle, that could mean a range of revenue amounts, but EPA charges \$300 every 5 years to become RRP certified. If New York took over the program, that could mean a potential of \$463,560 going into the State's budget annually instead of back to the EPA. Once the program is running and oversight is stronger, there would be an increase in certified firms, which would in turn result in an increase in that value per year. This has been true in other states such as Oregon. There are also the fees that the program would accrue from violations, further increasing New York's revenue from the program.

Potential collaboration with the EPA could allow for some outside funding for initial buildout of the program. And given the rapid deregulation occurring at the federal level, adopting a state-run program would safeguard New Yorkers against such a loss in this program now, and in the future could lead to productive collaboration with the EPA.

## **Budget and Legislative Recommendations**

Lead Free Kids NY recommends the following within the 2025-26 Budget:

- Lead Poisoning Prevention Programming Funding:
  - \$40M for the county health department lead programs in the Aid to Localities budget
  - \$20M to implement Public Health Law 1377: the New York State Rental Registry and Proactive Inspection Program in the Aid to Localities and State Operations budget
  - \$20M+ for the lead abatement program in the Capital Projects and State Operations budget
  - \$4M for NYS CHECK in the Capital Projects budget (Environmental Protection Fund)
  - \$1.4M for the Healthy Neighborhood Program
- Clean Water and Infrastructure Funding:
  - \$500 million for the Clean Water Infrastructure Act, with at least \$100 million of that funding to be dedicated specifically to lead pipe replacement

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<sup>10</sup> [https://ppgbuffalo.org/files/documents/lead\\_rrp\\_activities\\_in\\_nys.pdf](https://ppgbuffalo.org/files/documents/lead_rrp_activities_in_nys.pdf)

- [Renovation, Repair, and Painting Act:](#)
  - Create internal infrastructure for a productive Renovation, Repair, and Painting Program to be administered by the Department of Labor in one-house bills Article VII budget
- Energy Retrofitting and Green Renovations, Including Lead Remediation:
  - Include the Green Affordable Pre-Electrification Fund bill language in the Transportation, Economic Development and Environmental Conservation Article VII bill
  - \$200M for the GAP Fund for NYSERDA in the Capital Projects budget

### Legislative Recommendations

#### **Lead Pipes Replacement Act S. 6892 (Rivera) / A. 7878 (Paulin)**

Under the bill, water utilities must offer a free lead pipe replacement at no direct cost to customers, saving many economically-struggling New Yorkers unlucky enough to have a lead pipe upwards of \$10,000. It also creates a process to replace lead service lines if encountering non-responsiveness or non-compliance by a customer. In a win for environmental justice, this bill requires water systems to prioritize lead service line replacements in disadvantaged communities and other vulnerable populations. Additionally, there's a commonsense provision providing a free lead filter to any customer with a verified lead service line, who requests one, while waiting to have the work done.

#### **Find Lead Pipes Faster Act S. 3581 (Rivera) / A. 2181 (Paulin)**

The purpose of this bill is to ensure that property owners or occupants of the property (i.e., renters) respond to a request by the water utility to provide access for a quick and free water service line inspection for the purpose of completing their lead service line inventories. Under this bill, a legal loophole will be closed, creating a process by which the water utility can take action to gain consent when there's failure to respond by the property owner or occupants.

#### **Renovation, Repair, and Painting Act S. 6228 (Bailey) / A. 2749 (Bronson)**

This bill would have New York State take responsibility for enforcing and enacting the EPA's RRP program, which requires that projects that disturb lead-based paint in homes, child care facilities and preschools built before 1978 be performed by lead-safe certified contractors.

#### **Early Intervention Services S.5538 (Baskin) / A.6537 (McMahon)**

Under this bill, children diagnosed with an elevated blood lead level (at or above 5mcg/dL) automatically would become eligible for Early Intervention services in New York State.

**Lead Paint Right to Know** (*S.4265 Kavanagh / A.1529 Rivera*)

This act will complement existing state and local laws on lead poisoning prevention. Section 1377 of the public health law, enacted in 2023, requires DOH to develop a registry of all rental residential dwellings with two or more units built before 1980 within communities of concern outside of NYC, and require they be inspected for lead hazards at least every 3 years. The Lead Paint Right to Know Act will require lead inspection reports that must be shared with buyers of residential dwellings and subsequently included in the new DOH registry.