



Office of the San Diego City Attorney

Mara W. Elliott
City Attorney

August 16, 2019

The Honorable Gavin Newsom
Governor of California
1303 10th Street, Suite 1173
Sacramento, CA 95814

Assembly Bill 206 (Chiu): Public Nuisance: Abatement: Lead-based Paint—Support

Dear Governor Newsom:

The San Diego City Attorney's Office is a leader in the effort to protect California's children from dangerous lead paint products by holding companies responsible for abating the public nuisance they knowingly created when they manufactured and sold toxic products to unsuspecting families.

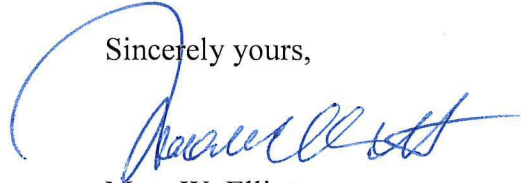
In 2000, a group of California cities and counties sued a number of companies that had manufactured, marketed, and sold lead paint and lead pigments to California families, despite knowing since at least 1875 that lead paint was toxic and posed serious health risks. Children are particularly vulnerable and the ingestion of lead paint by infants and toddlers can cause irreversible neurological damage. The City of San Diego joined the lawsuit in 2011.

In July 2019, a \$305 million settlement was finalized with the three remaining defendants in the lawsuit—The Sherwin-Williams Company, ConAgra Grocery Products Company, and NL Industries, Inc. The first payment will be distributed to the ten prosecuting jurisdictions next month to begin the abatement work. Even though the settlement agreement with the three defendants bars them from bringing claims against participating homeowners, they are not the only entities that are or may be liable for damages from lead paint and lead pigment. Assembly Bill (AB) 206 is critical to ensuring that we have full participation by as many homeowners as possible in every jurisdiction throughout California.

For years, lead paint companies have attempted to shift responsibility for the costs of lead abatement to homeowners instead of paying their fair share as determined by multiple California courts. The threat of litigation against homeowners by these companies could deter them from participating in the abatement program, meaning that lead paint could continue to threaten the lives of our children despite two decades of litigation success. AB 206 resolves this issue.

For these reasons, the San Diego City Attorney's Office supports AB 206 (Chiu) and urges you to sign this desperately needed measure into law.

Sincerely yours,

A handwritten signature in blue ink, appearing to read 'Mara W. Elliott', is written over the typed name. The signature is fluid and cursive, with a large initial 'M'.

Mara W. Elliott
City Attorney

MWE:cw

cc: Assembly Member David Chiu