



NATIONAL CONFERENCE *of* STATE LEGISLATURES

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State Laws Addressing Mold Inspection and Remediation
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1) California

Toxic Mold Protection Act of 2001

Cal Health & Saf Code §§ 26100 to 26204 (2007), HEALTH AND SAFETY CODE, Division 20. Miscellaneous Health and Safety Provisions, Chapter 18. Toxic Mold

- Authorizes Department of Health Services to adopt guidelines for the identification and remediation of toxic molds.
- Requires real estate owners to disclose to potential buyers, renters, or tenants any chronic water intrusion or flood condition or known mold that exceeds set limits or causes a known public health threat.

2) Connecticut

Conn. Gen. Stat. § 19a-111l, TITLE 19a PUBLIC HEALTH AND WELL-BEING, CHAPTER 368a DEPARTMENT OF PUBLIC HEALTH, § 19a-111l. Guidelines on mold abatement protocols.

- Requires Department of Health to publish mold abatement guidelines.

3) Florida

Fla. Stat. §§ 468.84 to 468.8421(2007), TITLE 32. REGULATION OF PROFESSIONS AND OCCUPATIONS (Chs. 454-493), CHAPTER 468. MISCELLANEOUS PROFESSIONS AND OCCUPATIONS, PART XVI. MOLD-RELATED SERVICES

- Set to become effective July 1, 2010.
- Authorizes Department of Business and Professional Regulation to establish examination and licensing protocol for mold assessors and mold remediators.

4) Illinois

Mold Remediation Registration Act

410 ILCS 105/1 to 105/99 (2007), CHAPTER 410. PUBLIC HEALTH, HEALTH PREVENTION AND PROTECTION, MOLD REMEDIATION REGISTRATION ACT

- Set to become effective January 1, 2008.
- Authorizes Department of Public Health to adopt rules to establish procedures for mold remediators.

5) Louisiana

La. R.S. 37:2181 to 2192 (2007), LOUISIANA REVISED STATUTES, TITLE 37. PROFESSIONS AND OCCUPATIONS, CHAPTER 24-A. MOLD REMEDIATION

- Provides for regulation and licensure by State Licensing Board for Contractors of people who perform mold remediation.

6) Maine

ME H 1337 LD: 1903
 AUTHOR: [Koffman](#) (D)
 TITLE: Mold in Buildings
 INTRODUCED: 05/09/2007
 ENACTED: 06/20/2007
 DISPOSITION: Enacted
 LOCATION: Chaptered
 CHAPTER: 355

- Implements the recommendations of the Working Group to Study Mold in Buildings; requires home construction contracts to contain the training received and certifications held by project supervisors; requires a disclosure statement of the potential for conflict of interest if mold assessment and remediation services are provided by the same person or company; adds mandatory moisture control provisions to the State Model Building Code; provides for landlord-tenant disputes.

7) Nebraska

R.R.S. Neb. § 79-10,110 (2007), CHAPTER 79. SCHOOLS, ARTICLE 10. SCHOOL TAXATION, FINANCE, AND FACILITIES, (e) SITE AND FACILITIES ACQUISITION, MAINTENANCE, AND DISPOSITION , § 79-10,110. Health and safety modifications or qualified zone academy; school board; powers and duties; hearing; tax levy authorized

- Relates to powers and duties of school board in curbing environmental hazards in schools, including mold abatement activities.

8) Oklahoma

15 Okl. St. § 765.4 (2007), TITLE 15. CONTRACTS, CHAPTER 20. CONSUMER PROTECTION, HOME REPAIR FRAUD ACT, § 765.4. Inspection and removal of mold, OKLAHOMA STATUTES, ANNOTATED BY LEXISNEXIS (R)

- Prohibits same person who inspects for mold from performing mold remediation, unless total cost of inspection and removal is less than \$200.

9) Texas

Tex. Occ. Code § 1958.001 to .304 (2007), OCCUPATIONS CODE, TITLE 12. PRACTICES AND TRADES RELATED TO WATER, HEALTH, AND SAFETY, SUBTITLE B. PRACTICES RELATED TO HEALTH AND SAFETY, CHAPTER 1958. MOLD ASSESSORS AND REMEDIATORS

- Provides for examination, licensing and regulation of mold assessors and remediators.

Tex. Prop. Code 430.001 & .003 (2007), PROPERTY CODE, TITLE 16. TEXAS RESIDENTIAL CONSTRUCTION COMMISSION ACT , SUBTITLE D. STATE-SPONSORED INSPECTION AND DISPUTE RESOLUTION PROCESS; STATUTORY WARRANTY AND BUILDING AND PERFORMANCE STANDARDS , CHAPTER 430. WARRANTIES AND BUILDING AND PERFORMANCE STANDARDS

- Requires building performance standards include measures designed to reduce general population's exposure to mold.

Tex. Ins. Code § 544.301 to .305 (2007), INSURANCE CODE, TITLE 5. PROTECTION OF CONSUMER INTERESTS, SUBTITLE C. DECEPTIVE, UNFAIR, AND PROHIBITED PRACTICES, CHAPTER 544. PROHIBITED DISCRIMINATION, SUBCHAPTER G. MOLD CLAIM OR DAMAGE

- Prohibits insurer from making underwriting decision based on previous mold damage or claim for mold damage if certain conditions are satisfied, including having remediation performed on property.



NOTE: The above summarizes state legislation addressing mold inspection and remediation and is the property of the National Conference of State Legislatures (NCSL) and is intended as a reference for state legislators and their staff. NCSL makes no warranty, expressed or implied, or assumes any legal liability or responsibility for third parties' use of this information, or represents that its use by such third party would not infringe on privately owned rights.