
By: **Delegates Gladden, Phillips, Howard, Rawlings, Healey, Conroy, Hammen, Marriott, Doory, Krysiak, Kirk, Cole, Dypski, Paige, Oaks, Harrison, McHale, Dobson, Montague, V. Jones, Nathan-Pulliam, Ports, Redmer, Klausmeier, Hubbard, D. Davis, R. Baker, Giannetti, Swain, Pitkin, Vallario, Valderrama, Moe, Frush, Branch, Fulton, Zirkin, C. Davis, McIntosh, and Rosenberg**

Introduced and read first time: February 3, 2000
Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Education - Public Schools - Lead Exposure in School Buildings -**
3 **Compliance with State Standards**

4 FOR the purpose of requiring that each county board of education in the State ensure
5 that each school building under its jurisdiction complies with certain risk
6 reduction standards for lead in buildings; providing for a delayed effective date;
7 and generally relating to standards for lead contamination in public school
8 buildings.

9 BY adding to
10 Article - Education
11 Section 7-418
12 Annotated Code of Maryland
13 (1999 Replacement Volume)

14 BY repealing and reenacting, without amendments,
15 Article - Environment
16 Section 6-815(a) and 6-816
17 Annotated Code of Maryland
18 (1996 Replacement Volume and 1999 Supplement)

19 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
20 MARYLAND, That the Laws of Maryland read as follows:

1

Article - Education

2 7-418.

3 EACH COUNTY BOARD SHALL ENSURE THAT EACH SCHOOL BUILDING UNDER
4 ITS JURISDICTION COMPLIES WITH THE RISK REDUCTION STANDARDS FOR LEAD
5 PROVIDED UNDER § 6-815(A) OF THE ENVIRONMENT ARTICLE.

6

Article - Environment

7 6-815.

8 (a) No later than the first change in occupancy in an affected property that
9 occurs on or after February 24, 1996, before the next tenant occupies the property, an
10 owner of an affected property shall initially satisfy the risk reduction standard
11 established under this subtitle by:

12 (1) Passing the test for lead-contaminated dust under § 6-816 of this
13 subtitle; or

14 (2) Performing the following lead hazard reduction treatments:

15 (i) A visual review of all exterior and interior painted surfaces;

16 (ii) The removal and repainting of chipping, peeling, or flaking
17 paint on exterior and interior painted surfaces;

18 (iii) The repair of any structural defect that is causing the paint to
19 chip, peel, or flake that the owner of the affected property has knowledge of or, with
20 the exercise of reasonable care, should have knowledge of;

21 (iv) Stripping and repainting, replacing, or encapsulating all
22 interior windowsills with vinyl, metal, or any other material in a manner and under
23 conditions approved by the Department;

24 (v) Ensure that caps of vinyl, aluminum, or any other material in a
25 manner and under conditions approved by the Department, are installed in all
26 window wells in order to make the window wells smooth and cleanable;

27 (vi) Except for a treated or replacement window that is free of
28 lead-based paint on its friction surfaces, fixing the top sash of all windows in place in
29 order to eliminate the friction caused by movement of the top sash;

30 (vii) Rehanging all doors necessary in order to prevent the rubbing
31 together of a lead-painted surface with another surface;

32 (viii) Making all bare floors smooth and cleanable;

33 (ix) Ensure that all kitchen and bathroom floors are overlaid with a
34 smooth, water-resistant covering; and

1 (x) HEPA-vacuumping and washing of the interior of the affected
2 property with high phosphate detergent or its equivalent, as determined by the
3 Department.

4 6-816.

5 The Department shall establish procedures and standards for the optional
6 lead-contaminated dust testing by regulation.

7 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take
8 effect October 1, 2003.