

HOUSE BILL 7

M3

7lr0615

(PRE-FILED)

By: **Delegate Holmes**

Requested: September 13, 2016

Introduced and read first time: January 11, 2017

Assigned to: Environment and Transportation

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 11, 2017

CHAPTER _____

1 AN ACT concerning

2 **Environment – ~~Children With Elevated Blood Lead Levels~~ Lead Hazards –**
3 **Environmental Investigation, Reporting, and Risk Reduction**

4 FOR the purpose of requiring the Department of the Environment, on or before a certain
5 date, to adopt certain regulations to establish certain procedures for conducting
6 environmental investigations to determine ~~the source of lead exposure for children~~
7 lead hazards for certain children and pregnant women with certain elevated blood
8 lead levels; requiring the Department to include in a certain annual report certain
9 results from certain environmental investigations; altering the conditions under
10 which an owner of an affected property is required to comply with certain risk
11 reduction standards under certain provisions of law relating to reducing lead risk in
12 housing; providing for the construction of certain provisions of this Act; and generally
13 relating to ~~children with elevated blood lead levels~~ lead hazards.

14 BY adding to

15 Article – Environment

16 Section 6–305

17 Annotated Code of Maryland

18 (2013 Replacement Volume and 2016 Supplement)

19 BY repealing and reenacting, with amendments,

20 Article – Environment

21 Section 6–819(c)(1)

22 Annotated Code of Maryland

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 (2013 Replacement Volume and 2016 Supplement)

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

4 **Article – Environment**

5 **6–305.**

6 (A) ON OR BEFORE OCTOBER 1, 2018, THE DEPARTMENT SHALL ADOPT
7 REGULATIONS TO ESTABLISH PROCEDURES FOR CONDUCTING ENVIRONMENTAL
8 INVESTIGATIONS TO DETERMINE ~~THE SOURCE OF LEAD EXPOSURE~~ LEAD HAZARDS
9 FOR CHILDREN UNDER THE AGE OF 6 AND PREGNANT WOMEN WITH ELEVATED
10 BLOOD LEAD LEVELS GREATER THAN OR EQUAL TO 10 MICROGRAMS PER
11 DECILITER.

12 (B) (1) ~~THE~~ SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, THE
13 REGULATIONS ADOPTED UNDER SUBSECTION (A) OF THIS SECTION SHALL BE
14 CONSISTENT WITH THE ENVIRONMENTAL INVESTIGATION GUIDELINES PUBLISHED
15 IN CHAPTER 16 OF THE U.S. DEPARTMENT OF HOUSING AND URBAN
16 DEVELOPMENT’S GUIDELINES FOR THE EVALUATION AND CONTROL OF
17 LEAD–BASED PAINT HAZARDS IN HOUSING, AS AMENDED.

18 (2) THIS SUBSECTION MAY NOT BE CONSTRUED AS REQUIRING THE
19 DEPARTMENT TO ALTER ANY STANDARD ESTABLISHED BY THE DEPARTMENT BY
20 REGULATION BEFORE JANUARY 1, 2017, FOR LEAD–BASED PAINT OR A
21 LEAD–CONTAINING SUBSTANCE.

22 (C) THE DEPARTMENT SHALL INCLUDE IN ITS ANNUAL REPORT ON
23 STATEWIDE CHILDHOOD BLOOD LEAD TESTING THE RESULTS OF THE
24 ENVIRONMENTAL INVESTIGATIONS CONDUCTED IN ACCORDANCE WITH THIS
25 SECTION.

26 6–819.

27 (c) (1) After February 23, 1996, an owner of an affected property shall satisfy
28 the modified risk reduction standard:

29 (i) Within 30 days after receipt of written notice that [a]:

30 1. A person at risk who resides in the property has an
31 elevated blood lead level documented by a test for EBL greater than or equal to 15 µg/dl
32 before February 24, 2006; or

1 2. A. A PERSON AT RISK WHO RESIDES IN THE
 2 PROPERTY HAS AN ELEVATED BLOOD LEAD LEVEL DOCUMENTED BY A TEST FOR
 3 EBL greater than or equal to 10 µg/dl on or after February 24, 2006; AND

4 B. AN ENVIRONMENTAL INVESTIGATION CONDUCTED IN
 5 ACCORDANCE WITH § 6-305 OF THIS TITLE DETERMINED THAT ONE OF THE LEAD
 6 HAZARDS FOR THE PERSON AT RISK INCLUDED A LEAD-BASED PAINT HAZARD IN
 7 THE PROPERTY; or

8 (ii) Within 30 days after receipt of written notice from the tenant, or
 9 from any other source, of:

10 1. A defect; and

11 2. The existence of a person at risk in the affected property.

12 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
 13 October 1, 2017.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.