

SENATE BILL 801

M3, J1

8lr2506
CF HB 304

By: **Senators Oaks, Conway, McFadden, Nathan-Pulliam, and Robinson**

Introduced and read first time: February 5, 2018

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Environment – Reduction of Lead Risk in Housing – Elevated Blood Lead Levels**

3 FOR the purpose of reducing the elevated blood lead level that initiates certain case
4 management, notification, and lead risk reduction requirements; and generally
5 relating to the prevention of lead poisoning and the reduction of lead risk in housing.

6 BY repealing and reenacting, with amendments,

7 Article – Environment

8 Section 6–304, 6–819(c), and 6–846(a)

9 Annotated Code of Maryland

10 (2013 Replacement Volume and 2017 Supplement)

11 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

12 That the Laws of Maryland read as follows:

13 **Article – Environment**

14 6–304.

15 (a) The Secretary shall assist local governments, if necessary, to provide case
16 management of children with elevated blood lead levels greater than or equal to [10] 5
17 micrograms per deciliter (µg/dl).

18 (b) On receipt of the results of a blood test for lead poisoning indicating that a
19 child under 6 years of age has an elevated blood lead level greater than or equal to [10] 5
20 µg/dl, the Department or a local health department shall notify:

21 (1) The child’s parent or legal guardian; and

22 (2) In the case of a child who lives in a rental dwelling unit, the owner of

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 the rental dwelling unit where the child resides.

2 6–819.

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

5 (i) Within 30 days after receipt of written notice that a person at
6 risk who resides in the property has an elevated blood lead level documented by a test for
7 EBL greater than or equal to [15 µg/dl before February 24, 2006 or greater than or equal
8 to] 10 µg/dl [on or after February 24, 2006] **BEFORE OCTOBER 1, 2018, OR GREATER
9 THAN OR EQUAL TO 5 µG/DL ON OR AFTER OCTOBER 1, 2018;** or

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

12 1. A defect; and

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

14 (2) (i) An owner who receives multiple notices of an elevated blood level
15 under this subsection or multiple notices of defect under subsection (d) of this section may
16 satisfy all such notices by subsequent compliance with the risk reduction measures
17 specified in subsection (a) of this section, as documented by satisfaction of subsection (f) or
18 (g) of this section, if the owner complies with the risk reduction measures specified in
19 subsection (a) of this section after the date of the test documenting the elevated blood level
20 or after the date the notices of defect were issued.

21 (ii) Subparagraph (i) of this paragraph does not affect an owner's
22 obligation to perform the risk reduction measures specified in subsection (a) of this section
23 for a triggering event that occurs after the owner satisfies the provisions of subparagraph
24 (i) of this paragraph.

25 6–846.

26 (a) On receiving the results of a blood lead test under § 6–303 of this title
27 indicating that a person at risk has an EBL greater than or equal to [15 µg/dl before
28 February 24, 2006, or greater than or equal to] 10 µg/dl [on or after February 24, 2006]
29 **BEFORE OCTOBER 1, 2018, OR GREATER THAN OR EQUAL TO 5 µG/DL ON OR AFTER
30 OCTOBER 1, 2018,** the Department or a local health department shall notify:

31 (1) The person at risk, or in the case of a minor, the parent or legal
32 guardian of the person at risk, of the results of the test; and

33 (2) The owner of the affected property in which the person at risk resides
34 or regularly spends at least 24 hours per week of the results of the test.

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 October 1, 2018.