

**HB1253/860416/1**

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 1253  
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Wells” and substitute “Wells, Attar, and Barve”; in line 2, strike “Environment –”; in line 3, strike “Program” and substitute “Programs”; in line 6, after “buildings;” insert “specifying that the issues to which the Interagency Commission on School Construction is required to give priority in awarding grants from the Healthy School Facility Fund include the presence of lead in drinking water outlets in school buildings; requiring the Interagency Commission on School Construction, in consultation with the Department of the Environment, to establish certain application procedures;”; strike beginning with “authorizing” in line 14 down through “program” in line 15 and substitute “specifying other sources of funding for the grant program”; and in line 18, after “Act;” insert “declaring the intent of the General Assembly; providing for a delayed effective date for certain provisions of this Act;”.

On page 2, after line 3, insert:

“BY repealing and reenacting, without amendments,

Article - Education

Section 5-322(a)

Annotated Code of Maryland

(2018 Replacement Volume and 2018 Supplement)

BY repealing and reenacting, with amendments,

Article - Education

Section 5-322(j) and (k)

Annotated Code of Maryland

(2018 Replacement Volume and 2018 Supplement)”.

(Over)

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AMENDMENT NO. 2

On page 2, after line 18, insert:

“Article – Education

5–322.

(a) In this section, “Fund” means the Healthy School Facility Fund.

(i) (1) In each of fiscal years 2020 and 2021, the Governor shall appropriate at least \$30,000,000 to the Fund.

(2) (i) Subject to subparagraphs (ii) and (iii) of this paragraph, the Interagency Commission on School Construction shall give priority in awarding grants to schools based on the severity of issues in the school, including:

1. Air conditioning;
2. Heating;
3. Indoor air quality;
4. Mold remediation;
5. Temperature regulation;
6. Plumbing, INCLUDING THE PRESENCE OF LEAD IN DRINKING WATER OUTLETS IN SCHOOL BUILDINGS; and
7. Windows.

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(ii) No jurisdiction may receive more than a total of \$15,000,000 in a fiscal year.

(iii) The amount of the grant is not required to cover the full cost of the project.

(k) (1) Subject to [paragraph] PARAGRAPHS (2) AND (3) of this subsection, the Interagency Commission on School Construction shall establish application procedures for school systems to request funds under this section.

(2) The Interagency Commission on School Construction shall establish award procedures to make awards distributed from the Fund not more than 45 days after receiving an application.

**(3) (I) THE INTERAGENCY COMMISSION ON SCHOOL CONSTRUCTION, IN CONSULTATION WITH THE DEPARTMENT OF THE ENVIRONMENT, SHALL ESTABLISH APPLICATION PROCEDURES FOR SCHOOL SYSTEMS TO REQUEST FUNDS UNDER THIS SECTION TO ASSIST WITH THE COSTS OF IMPLEMENTING REMEDIAL MEASURES TO ADDRESS THE PRESENCE OF LEAD IN DRINKING WATER OUTLETS IN SCHOOL BUILDINGS.**

**(II) THE APPLICATION PROCEDURES ESTABLISHED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH SHALL INCLUDE PROCEDURES FOR PRIORITIZING APPLICATIONS, WITH PRIORITY FIRST GIVEN TO APPLICATIONS REQUESTING FUNDS FOR WATER FOUNTAINS OR BUBBLERS, AND THEN TO APPLICATIONS REQUESTING FUNDS FOR:**

**1. FAUCETS OR TAPS THAT ARE USED OR POTENTIALLY USED FOR DRINKING OR FOOD PREPARATION;**

(Over)

**2. ICE MAKERS; OR**

**3. HOT DRINK MACHINES.”;**

in line 26, strike “OR”; and strike in their entirety lines 27 and 28 and substitute:

**“(2) ADDRESS ANY FINDINGS OF LEAD CONCENTRATIONS IN DRINKING WATER OUTLETS IN SCHOOL BUILDINGS THAT EXCEED 5 PARTS PER BILLION BEFORE THAT STANDARD TAKES EFFECT ON JUNE 1, 2020;**

**(3) INSTALL DRINKING WATER OUTLETS IN SCHOOL BUILDINGS THAT DO NOT HAVE FUNCTIONING DRINKING WATER OUTLETS DUE TO ELEVATED LEVELS OF LEAD; OR**

**(4) REPAIR, RECONFIGURE, OR REPLACE THE OUTLET PLUMBING OR PREMISES PLUMBING CONTRIBUTING TO ELEVATED LEVELS OF LEAD IN DRINKING WATER.”.**

On page 3, in line 3, strike “COSTS” and substitute “:

**(I) WHETHER THE LOCATION OF THE LEAD AFFECTING THE DRINKING WATER OUTLET IS IN THE SERVICE LINE, PREMISES PLUMBING, OUTLET PLUMBING, OR OUTLET; AND**

**(II) COSTS”;**

in line 5, after “GRANTS” insert “ON A COMPETITIVE BASIS AND BASED ON THE AVAILABILITY OF FUNDING”; in line 11, after “SUBTITLE;” insert “AND”; strike beginning with “PRIORITIZE” in line 12 down through “COST-EFFECTIVE” in line 16 and substitute “CONSISTENT WITH ANY APPLICABLE FEDERAL LAW OR

**REQUIREMENT, PRIORITIZE APPLICATIONS BASED ON FACTORS DETERMINED BY THE DEPARTMENT, INCLUDING:**

**(I) THE APPLICANT’S LEVEL OF FINANCIAL NEED;**

**(II) THE PERCENTAGE OF DRINKING WATER OUTLETS THAT REQUIRE REMEDIATION; AND**

**(III) THE COST-EFFECTIVENESS OF THE PROPOSED”;**

and strike beginning with the first “THE” in line 25 down through “PROGRAM” in line 26 and substitute “**FUNDING FOR THE GRANT PROGRAM CONSISTS OF:**

**(I) MONEY APPROPRIATED IN THE STATE BUDGET FOR THE GRANT PROGRAM; AND**

**(II) ANY ADDITIONAL MONEY MADE AVAILABLE TO THE GRANT PROGRAM FROM ANY PUBLIC OR PRIVATE SOURCE”.**

On page 4, in line 2, after “date” insert “of Section 1”; after line 2, insert:

**“SECTION 4. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that a local school system is eligible for a grant award from the Healthy School Facility Fund or from the grant program established under § 6–1503 of the Environment Article, as enacted by Section 2 of this Act, to implement remedial measures to address any finding of a lead concentration in drinking water outlets in a school building that exceeds 5 parts per billion before that standard takes effect under § 6–1501 of the Environment Article, as enacted by Section 1 of this Act.**

**SECTION 5. AND BE IT FURTHER ENACTED, That Section 1 of this Act shall take effect June 1, 2020.”;**

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in line 3, strike “4.” and substitute “6.”; and in the same line, after “That” insert “, except as provided in Section 5 of this Act.”.