

HOUSE BILL 1052

F2, M3

01r3285

By: **Delegates Lehman, Solomon, Acevero, Attar, D. Barnes, Bartlett, Boyce, Carey, Carr, Chang, Charles, Clark, Forbes, Fraser-Hidalgo, Guyton, Harrison, Healey, Malone, Pena-Melnyk, Proctor, Saab, Shetty, Stewart, Terrasa, Valderrama, Valentino-Smith, Walker, and P. Young**

Introduced and read first time: February 6, 2020

Assigned to: Appropriations

A BILL ENTITLED

1 AN ACT concerning

2 **University System of Maryland – Contaminants in Campus Buildings – Review,**
3 **Monitoring, and Remediation**

4 FOR the purpose of requiring the University System of Maryland to establish a certain
5 program for monitoring contaminants in campus buildings; requiring the University
6 System of Maryland to develop a certain system-wide process for submitting certain
7 concerns; specifying that the system-wide process must include a certain timeline
8 and certain actions; requiring the University System of Maryland to conduct a
9 comprehensive environmental review of each campus building within the University
10 System of Maryland; stating that the environmental review must assess the
11 presence of contaminants; requiring the University System of Maryland to prepare
12 a certain environmental report; specifying the contents of the report; requiring the
13 University System of Maryland to submit the environmental report to the Governor
14 and the General Assembly on or before a certain date; and generally relating to the
15 University System of Maryland.

16 BY adding to

17 Article – Education

18 Section 12-119

19 Annotated Code of Maryland

20 (2018 Replacement Volume and 2019 Supplement)

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

23 **Article – Education**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **12-119.**

2 **(A) (1) THE UNIVERSITY SYSTEM OF MARYLAND SHALL ESTABLISH AN**
3 **ONGOING MONITORING PROGRAM FOR EACH CAMPUS BUILDING IN WHICH A**
4 **CONTAMINANT IS IDENTIFIED.**

5 **(2) CONTAMINANTS INCLUDE:**

6 **(I) MOLD;**

7 **(II) FUNGUS;**

8 **(III) ASBESTOS;**

9 **(IV) RADON;**

10 **(V) HEAVY METALS; AND**

11 **(VI) OTHER SUBSTANCES AND PHYSICAL AGENTS THAT MAY BE**
12 **TOXIC OR HAVE AN ADVERSE IMPACT ON HUMAN HEALTH.**

13 **(B) (1) THE UNIVERSITY SYSTEM OF MARYLAND SHALL DEVELOP A**
14 **TRANSPARENT AND INCLUSIVE SYSTEM-WIDE PROCESS FOR STUDENTS, FACULTY,**
15 **AND STAFF TO SUBMIT, IN WRITING, SPECIFIC CONCERNS RELATED TO BUILDING**
16 **CONTAMINATION.**

17 **(2) THE SYSTEM-WIDE PROCESS MUST INCLUDE:**

18 **(I) A TIMELINE FOR THE UNIVERSITY SYSTEM OF MARYLAND**
19 **TO RESPOND TO CONCERNS SUBMITTED THROUGH THE SYSTEM-WIDE PROCESS;**
20 **AND**

21 **(II) ACTIONS THE UNIVERSITY SYSTEM OF MARYLAND WILL**
22 **TAKE TO RESOLVE THE CONCERNS SUBMITTED THROUGH THE SYSTEM-WIDE**
23 **PROCESS.**

24 SECTION 2. AND BE IT FURTHER ENACTED, That:

25 (a) The University System of Maryland shall conduct a comprehensive
26 environmental review of each campus building within the University System of Maryland.

27 (b) The environmental review must assess the presence of contaminants,
28 including:

- 1 (1) mold;
- 2 (2) fungus;
- 3 (3) asbestos;
- 4 (4) radon;
- 5 (5) heavy metals; and
- 6 (6) other substances and physical agents that may be toxic or have an
7 adverse impact on human health.

8 (c) (1) The University System of Maryland shall prepare an environmental
9 report on the environmental review.

10 (2) If a contaminant is identified under subsection (b) of this section, the
11 report must:

- 12 (i) for each building in which a contaminant is identified:
- 13 1. identify the contaminant;
- 14 2. specify the concentration or amount of the contaminant;
- 15 3. state whether the contaminant has potentially toxic or
16 hazardous health effects in the concentration or amount identified;
- 17 4. provide the rationale for the statement; and
- 18 5. specify actions that are being taken or will be taken to
19 remediate the contamination;
- 20 (ii) prioritize remediation efforts;
- 21 (iii) explain the criteria used to determine the prioritization;
- 22 (iv) estimate the cost of remediation;
- 23 (v) provide a timeline for implementing remediation; and
- 24 (vi) describe the monitoring program required under subsection (a)
25 of § 12–119 of the Education Article, as enacted by Section 1 of this Act.

26 (3) The report must include an evaluation of the anticipated impact of
27 climate change over the next 10 years on new or recurring building contamination,
28 including impacts that may result from:

- 1 (i) higher temperatures;
- 2 (ii) increased rainfall; and
- 3 (iii) other conditions associated with climate change.

4 (d) On or before December 1, 2020, the University System of Maryland shall
5 submit the environmental report to the Governor and, in accordance with § 2-1257 of the
6 State Government Article, the General Assembly.

7 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July
8 1, 2020.