



Wes Moore, Governor · Aruna Miller, Lt. Governor · Laura Herrera Scott, M.D., M.P.H., Secretary

February 21, 2023

The Honorable Kumar P. Barve
Chair, House Environment and Transportation Committee
Room 251, House Office Building
Annapolis, Maryland 21401-1991

RE: HB 315 - Multifamily Dwellings - Smoking Policies - Letter of Information

Dear Chair Barve and Committee Members:

The Maryland Department of Health (MDH) respectfully submits this letter of information for House Bill (HB) 315 entitled “Multifamily Dwellings - Smoking Policies.” HB 315 requires the governing body of a common ownership community to develop a smoking policy if the property subject to control of the governing body is a multifamily dwelling.

The current definition for “smoking” outlined in HB 315 will include tobacco, other lighted matter/substances (i.e., cannabis), and electronic smoking devices (i.e., vapes, electronic cigarettes, etc.). Exposure to secondhand smoke (SHS), secondhand vape (SHV), and cannabis smoke are major concerns. SHV, the aerosol users exhale from electronic smoking devices (ESDs), is not harmless water vapor and contains many of the same toxic chemicals found in cigarette smoke.¹ An estimated 28 million U.S. residents living in multifamily dwellings are exposed to SHS each year.² Data collected during the COVID-19 pandemic reveal that about one-third of Maryland high school students live with a current tobacco smoker (31 percent) and report recent exposure to SHS (35 percent).³ Only 1 in 3 multifamily housing residents in the U.S. are currently covered by smoke-free building policies.⁴ The home is the primary source of SHS exposure among children. Smoke-free policies are the most effective way to fully protect residents and children from involuntary exposure to SHS.⁵

¹ American Non-Smokers’ Rights Foundation, “Electronic Smoking Devices and Secondhand Aerosol,” 1 January 2023, Accessed 30 January 2023, at <<https://no-smoke.org/electronic-smoking-devices-secondhand-aerosol/>>.

² State Tobacco Activities Tracking and Evaluation (STATE) System, Secondhand Smoke Exposure in Multiunit Housing Facilities Is Detrimental to the Health of Children and Nonsmoking Adults, 25 October 2022, U.S. Center for Disease Control and Prevention, Accessed on 29 January 2023, <https://www.cdc.gov/statesystem/factsheets/multiunithousing/MultiUnitHousing.html#:~:text=Approximately%2080%20million%20residents%20in%20the%20United%20States.savings%20for%20multi-unit%20housing%20operators%20and%20society.%208%2C9%2C10> >.

³ Maryland Department of Health. 2021 Youth Pandemic Behavior Survey Detailed Report; <https://health.maryland.gov/phpa/ohpetup/Documents/2021%20Youth%20Pandemic%20Behavior%20Survey%20Detailed%20Report.pdf>

⁴ Going Smoke-free Matters Multiunit Housing, U.S. Centers for Disease Control and Prevention, Accessed on 29 January 2023, <https://www.cdc.gov/tobacco/infographics/policy/pdfs/going-smokefree-matters-multiunit-housing-infographic.pdf#:~:text=Approximately%201%20in%203%20multiunit%20housing%20residents%20are.have%20chosen%20to%20make%20their%20own%20homes%20smokefree.5>>.

⁵ State Tobacco Activities Tracking and Evaluation (STATE) System, Secondhand Smoke Exposure in Multiunit Housing Facilities Is Detrimental to the Health of Children and Nonsmoking Adults, 25 October 2022, U.S. Center for Disease Control and Prevention, Accessed on 29 January 2023.

HB 315 focuses on housing such as condominiums. However, including all multiunit housing residences would be considered comprehensive and further promote health equity. Lower income residents, who have fewer housing alternatives, often have more exposure to SHS, and are thus at risk of adverse health outcomes associated with SHS.⁶ Studies show most multifamily housing residents want smoke-free policies.⁷ One concern has been the potential results of enforcing such a policy. However, smoke-free policies do not require individuals to quit smoking or limit housing approvals based on smoking status. Rather, these policies can designate areas where individuals have access to smoke outdoors to protect those indoors and across units. Developing such policies will necessitate a concerted effort among housing providers, residents, health departments, and community partners.

If you have any further questions, please contact Megan Peters, Acting Director of Governmental Affairs at megan.peters@maryland.gov or (410) 260-3190.

Sincerely,



Laura Herrera Scott, M.D., M.P.H.
Secretary

2023, <https://www.cdc.gov/statesystem/factsheets/multiunithousing/MultiUnitHousing.html#:~:text=Approximately%2080%20million%20residents%20in%20the%20United%20States,savings%20for%20multi-unit%20housing%20operators%20and%20society.%208%2C9%2C10> >.

⁶ People with Low Socioeconomic Status Need More Protection from Secondhand Smoke Exposure, 27 June 2022, U.S. Center for Disease Control and Prevention, Accessed on 29 January 2023 <https://www.cdc.gov/tobacco/health-equity/low-ses/secondhand-smoke.html> >.

⁷ Andrea Licht, Brian King, et al. "Attitudes, Experiences, and Acceptance of Smoke-Free Policies Among US Multiunit Housing Residents, American Public Health Association, Accessed on 29 January 2023, <https://ajph.aphapublications.org/doi/full/10.2105/AJPH.2012.300717?searchHistoryKey=&prevSearch=%5BTITLE%3A+attitudes%5D+and+%5BContrib%3A+hyland%5D> >.