



THE SENATE OF MARYLAND
Annapolis, Maryland 21401

Testimony of Senator Jill P. Carter

**In Favor of SB1031 – Civil Actions - Lead Poisoning - Liability and
Statute of Limitations (Maryland Lead Poisoning Compensation Act)**

Judicial Proceedings Committee

On March 7th 2024

Mr. Chairman, Vice Chair, and Members of the Committee:

Senate Bill 1031 will allow for action to be brought against owners or managers of property with lead based paint hazards that result in lead poisoning of another person. This bill will establish strict liability for the owner or manager of the property and establish that limitations on certain damages awarded to a prevailing plaintiff do not apply to a claim under the Act.

Current Maryland law on lead, limits the rights of children and their representatives to traditional tort damages for lead poisoning, provided that the property owner has satisfied the certain housing unit registration requirements, and the unit has either passed lead dust tests or undergone a set of risk reduction measures which must be verified by an independent, certified third party who performs a visual inspection. When the unit meets this standard, the owner is entitled to a limited tort immunity. However, if a child living in the unit develops an elevated blood lead level which exceeds 20 micrograms

of lead per deciliter of blood, the owner has the option of making a “qualified offer” to the child and his or her legal representative.

Despite having these legal parameters in place, lead poisoning still remains to be a high risk particularly for children living in older rental properties in large cities. For example, In Baltimore City many homes are poorly maintained and still have traces of old lead based paint and dust. In 2022, a report done by the Abell Foundation found that over 85,000 occupied housing units in Baltimore City have dangerous lead hazards. In that same year, thousands of children were found to have blood lead levels at or above 5 micrograms which is considered to be very high. Young children in the city are easily susceptible to chemical damage during development from lead levels in paint chips and dust. Lead paint chips and dust particles can easily make their way on children's toys and drinking water which are common ways that children can be exposed.

Furthermore, exposure to lead poisoning especially on young children and pregnant women have been found to have long term and life threatening effects. Some symptoms include brain injuries, nervous system injuries, learning disabilities, convulsions, hearing loss, and much more. For pregnant women, it can lead to higher risk of a miscarriage, stillbirth, or low birth weight.

It is time that we hold owners and property managers accountable and ensure fair compensation for all the young children and adults affected by lead poisoning. Our most vulnerable communities have been affected by this for far too long and establishing liability standards is the first step in the right direction to tackle this issue.

As such I urge this committee to issue a favorable report on SB1031. Thank you for your time.

Sincerely,

Senator Jill P. Carter

