



STATE OF MARYLAND

Lead Poisoning Prevention Commission

SUPPORT

House Bill 1367 - Lead Testing and Inspections - Falsifying Information - Penalty
Senate Judicial Proceedings Committee
March 24, 2025

The Lead Poisoning Prevention Commission, (“Lead Commission”) established under Environment Article 6, Subtitle 8, advises the Maryland Department of the Environment, the Legislature, and the Governor regarding lead poisoning prevention in Maryland. The Lead Commission supports state and local lead poisoning prevention strategies that help to detect and eliminate environmental lead hazards, especially when children are at risk. Following a vote of the Maryland Lead Poisoning Prevention Commission in favor of HB1367 on March 6, 2025, the Lead Commission submits this testimony in support of HB1367.

HB1367 would impose civil penalties on inspectors who knowingly falsify certificates to demonstrate compliance with Maryland environmental regulatory requirements. Civil fines are needed for inspectors who falsify inspection certification information to serve as a deterrent to that unlawful behavior. The integrity of the inspection process is paramount to the entire system of checks and balances that have been created to protect the legitimacy of lead inspection certification and oversight of the Maryland Reduction of Lead Risk in Housing Law. If inspectors commit fraud by falsifying information, the entire system collapses.

The Maryland Department of the Environment (MDE) has played a leading governmental role in implementing the law and enforcement power has been a significant tool in their arsenal. Without strong enforcement and accountability measures, the underpinnings of environmental laws and the balances struck in those laws will be greatly compromised. The recent enforcement actions by MDE against inspection companies that are not following the required State of Maryland lead inspection protocols or falsifying inspection documents are critical to an effective inspection, spot check and oversight process.

Civil fines for inspectors are necessary to ensure that the cost of committing fraud is higher than any potential reward. HB1367 is necessary because the current statute’s civil fines structure in Environment Article Section 6-850 places the fines on the rental property owner and does not impose fines on the lead inspector.

When inspectors falsify lead inspections and certifications, they place young children in Maryland at risk of lead exposure in homes that contain lead hazards that parents unknowingly believe to be lead free or in compliance with Maryland’s Risk Reduction Certification standards. The CDC has determined that there is no safe level of lead in a child’s body at which harm does not occur. Lead poisoning from primarily lead in paint, dust and contaminated soil contributes to significant learning disabilities, loss of IQ, speech development problems, attention deficit disorder, poor school performance and violent, aggressive behavior that heavily burdens low-income communities in Maryland.

This legislation will establish important civil penalties for inspectors who are falsifying lead inspection results and certificates and undermining the integrity of the Maryland Reduction of Lead Risk in Housing Law. The Maryland Lead Commission requests a favorable report on HB1367.

For more information, please contact Ruth Ann Norton, Commission Chair, at 410-534-6477 or by email at ranorton@ghhi.org.