



The Maryland Department of the Environment
Secretary Serena McIlwain

Senate Bill 203

Environment - Lead Paint Abatement Services - Performance Bond and Liability Insurance

Position: Support
Committee: Education, Energy and the Environment
Date: February 3, 2026
From: Jeremy D. Baker, Director of Government Relations

The Maryland Department of the Environment (MDE) **SUPPORTS** SB 203.

Bill Summary

The bill authorizes MDE to adopt regulations requiring any person or entity accredited by MDE to provide lead paint abatement services be covered by a reasonable performance bond or reasonable liability insurance. This includes risk assessment, inspection, or the actual removal, containment, and encapsulation of lead-containing substances in residential, public, or commercial buildings. Requirements would apply to accredited contractors, supervisors, and inspectors who manage or perform lead hazard reduction.

Position Rationale

SB 203 is essential for closing a gap in the current regulatory framework for lead abatement. Lead abatement is inherently high-stakes work, where a project left incomplete or performed poorly can result in severe health risks and devastating financial burdens for property owners and residents. This legislation safeguards Maryland families by requiring performance bonds or liability insurance, ensuring a dedicated financial mechanism is in place to remediate potential failures. Instead of placing the cost of errors on victims or the State, this requirement guarantees that resources are available to correct hazardous situations immediately, providing a crucial safety net for those who need it most.

Beyond financial protection, mandating liability insurance naturally elevates the quality of the marketplace. Because contractors must meet standards of insurers to operate, this bill effectively filters out unqualified actors, ensuring that only responsible, professional entities perform these sensitive tasks. While accredited contractors may see a modest adjustment in overhead, this is balanced by a significant reduction in litigation risk and an increase in the industry's professional standing. This creates a more reliable environment for Maryland families seeking lead-safe housing.

Ultimately, this legislation is a matter of equity and public health. Lead poisoning disproportionately affects low-income families in older housing, communities that deserve the same professional guarantees found in other high-risk environmental sectors. By strengthening contractor requirements, we uphold the Lead Poisoning Prevention Program's core mission: to protect our communities before harm occurs and ensure that every child in Maryland has the opportunity to grow up in a lead-free environment.

Accordingly, MDE asks for a **FAVORABLE** report on SB 203.

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