

HOUSE BILL 1375

M3

4lr0440

By: **Delegate Rosenberg**

Introduced and read first time: February 9, 2024

Assigned to: Environment and Transportation

A BILL ENTITLED

1 AN ACT concerning

2 **Environmental Justice – Identification of and Investment in Overburdened and**
3 **Underserved Communities – Report**

4 FOR the purpose of requiring the Department of the Environment to submit an annual
5 report to the Governor and General Assembly beginning on or before a certain date
6 relating to the identification of certain communities, the percentage of spending for
7 certain investments that benefited certain communities during the prior fiscal year
8 within certain governmental entities, and certain recommendations on improving
9 the identification of and provision of assistance to certain communities; and
10 generally relating to overburdened and underserved communities.

11 BY repealing and reenacting, with amendments,
12 Article – Environment
13 Section 1–701(a)(1)
14 Annotated Code of Maryland
15 (2013 Replacement Volume and 2023 Supplement)

16 BY repealing and reenacting, without amendments,
17 Article – Environment
18 Section 1–701(a)(7) and (8)
19 Annotated Code of Maryland
20 (2013 Replacement Volume and 2023 Supplement)

21 BY adding to
22 Article – Environment
23 Section 1–703
24 Annotated Code of Maryland
25 (2013 Replacement Volume and 2023 Supplement)

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **Article – Environment**

2 1–701.

3 (a) (1) In this [section] SUBTITLE the following words have the meanings
4 indicated.5 (7) “Overburdened community” means any census tract for which three or
6 more of the following environmental health indicators are above the 75th percentile
7 statewide:

8 (i) Particulate matter (PM) 2.5;

9 (ii) Ozone;

10 (iii) National Air Toxics Assessment (NATA) diesel PM;

11 (iv) NATA cancer risk;

12 (v) NATA respiratory hazard index;

13 (vi) Traffic proximity;

14 (vii) Lead paint indicator;

15 (viii) National Priorities List Superfund site proximity;

16 (ix) Risk Management Plan facility proximity;

17 (x) Hazardous waste proximity;

18 (xi) Wastewater discharge indicator;

19 (xii) Proximity to a Concentrated Animal Feeding Operation (CAFO);

20 (xiii) Percent of the population lacking broadband coverage;

21 (xiv) Asthma emergency room discharges;

22 (xv) Myocardial infarction discharges;

23 (xvi) Low–birth–weight infants;

24 (xvii) Proximity to emitting power plants;

25 (xviii) Proximity to a Toxic Release Inventory (TRI) facility;

- 1 (xix) Proximity to a brownfields site;
- 2 (xx) Proximity to mining operations; and
- 3 (xxi) Proximity to a hazardous waste landfill.

4 (8) "Underserved community" means any census tract in which, according
5 to the most recent U.S. Census Bureau Survey:

- 6 (i) At least 25% of the residents qualify as low-income;
- 7 (ii) At least 50% of the residents identify as nonwhite; or
- 8 (iii) At least 15% of the residents have limited English proficiency.

9 **1-703.**

10 **ON OR BEFORE DECEMBER 31, 2024, AND EACH DECEMBER 31 THEREAFTER,**
11 **THE DEPARTMENT SHALL SUBMIT A REPORT TO THE GOVERNOR AND, IN**
12 **ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL**
13 **ASSEMBLY ON:**

14 **(1) THE IDENTIFICATION OF OVERBURDENED COMMUNITIES AND**
15 **UNDERSERVED COMMUNITIES IN THE STATE;**

16 **(2) THE PERCENTAGE OF OVERALL SPENDING FOR PROGRAMS,**
17 **PROJECTS, AND INVESTMENTS THAT BENEFITED OVERBURDENED AND**
18 **UNDERSERVED COMMUNITIES DURING THE PRIOR FISCAL YEAR WITHIN THE**
19 **FOLLOWING GOVERNMENTAL ENTITIES:**

- 20 **(I) THE DEPARTMENT;**
- 21 **(II) THE MARYLAND ENERGY ADMINISTRATION;**
- 22 **(III) THE MARYLAND DEPARTMENT OF LABOR;**
- 23 **(IV) THE DEPARTMENT OF HUMAN SERVICES;**
- 24 **(V) THE DEPARTMENT OF TRANSPORTATION;**
- 25 **(VI) THE DEPARTMENT OF COMMERCE;**
- 26 **(VII) THE MILITARY DEPARTMENT;**

- 1 **(VIII) THE DEPARTMENT OF NATURAL RESOURCES;**
- 2 **(IX) THE DEPARTMENT OF AGRICULTURE;**
- 3 **(X) THE MARYLAND DEPARTMENT OF HEALTH; AND**
- 4 **(XI) ANY OTHER RELEVANT AGENCIES OR PROGRAMS; AND**

5 **(3) SPECIFIC RECOMMENDATIONS TO IMPROVE THE IDENTIFICATION**
6 **OF AND PROVISION OF ASSISTANCE TO OVERBURDENED AND UNDERSERVED**
7 **COMMUNITIES, INCLUDING LEGISLATIVE AND REGULATORY CHANGES.**

8 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
9 1, 2024.