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6lr0263

(PRE-FILED)

HB 249/95 - ENV

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**By: Delegates Arnick and Guns**

Requested: August 25, 1995

Introduced and read first time: January 10, 1996

Assigned to: Environmental Matters

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Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 18, 1996

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CHAPTER \_\_\_\_

1 AN ACT concerning

2 **Lead Paint - Affected Property - Exemption**

3 FOR the purpose of altering a certain standard for reporting certain property as  
4 lead-free for purposes of qualifying for a certain exemption under the Lead  
5 Poisoning Prevention Program, subject to a certain certification requirement;  
6 providing for the effective date of this Act; and generally relating to lead-based  
7 paint and affected rental property.

8 BY repealing and reenacting, with amendments,  
9 Article - Environment  
10 Section 6-804  
11 Annotated Code of Maryland  
12 (1993 Replacement Volume and 1995 Supplement)

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

15 **Article - Environment**

16 6-804.

17 (A) Affected property is exempt from the provisions of Part IV of this subtitle if  
18 the owner submits to the Department an inspection report that:

19 (1) Indicates that the affected property has been tested for the presence of  
20 lead-based paint in accordance with standards and procedures established by the  
21 Department by regulation;

22 (2) States that:

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1 (I) [all exterior surfaces and] ALL interior surfaces of the affected  
2 property are lead-free;

3 (II) ALL EXTERIOR PAINTED SURFACES OF THE AFFECTED  
4 PROPERTY THAT WERE CHIPPING, PEELING, OR FLAKING HAVE BEEN RESTORED  
5 LEAD-FREE; AND

6 (III) NO EXTERIOR PAINTED SURFACES OF THE AFFECTED  
7 PROPERTY ARE CHIPPING, PEELING, OR FLAKING; and

8 (3) Is verified by the Department accredited inspector who performed the  
9 test.

10 (B) IN ORDER TO MAINTAIN EXEMPTION FROM THE PROVISIONS OF PART IV  
11 OF THIS SUBTITLE, THE OWNER SHALL SUBMIT TO THE DEPARTMENT EVERY 2  
12 YEARS A CERTIFICATION, BY A DEPARTMENT ACCREDITED INSPECTOR, STATING  
13 THAT NO EXTERIOR PAINTED SURFACE OF THE AFFECTED PROPERTY IS CHIPPING,  
14 PEELING, OR FLAKING.

15 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
16 June 1, 1996.