

Department of Legislative Services  
Maryland General Assembly  
2000 Session

FISCAL NOTE

House Bill 781 (Delegates Ports and Redmer)

Environmental Matters

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Lead-Contaminated Dust Testing - Juvenile Facilities

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This bill requires a facility used to accommodate committed juveniles to be tested for lead-contaminated dust. A person conducting lead-contaminated dust testing must be accredited by the Maryland Department of the Environment.

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Fiscal Summary

**State Effect:** One-time expenditure increases of \$8,070 for the Department of Health and Mental Hygiene (DHMH) and \$63,660 for the Department of Juvenile Justice (DJJ) for testing.

**Local Effect:** None.

**Small Business Effect:** Potential meaningful.

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Analysis

**Current Law:** Juvenile facilities are not required to be tested for lead-contaminated dust.

**Background:** Lead poisoning is a major environmental hazard facing children. Maryland's lead poisoning rate is almost seven times the national average. Children who are poisoned by lead are seven times more likely to drop out of school and five times more likely to suffer from learning disabilities.

**State Fiscal Effect:** The Maryland Department of the Environment advises that lead-contaminated dust testing costs \$5 to \$10 per sample, and that it is necessary to take two to three samples per room.

At the close of fiscal 1999, approximately 15,231 children resided in out-of-home placements through the Department of Human Resources (DHR), DHMH, the Maryland State Department of Education (MSDE), and DJJ. It is assumed that all of the children under the jurisdiction of DHR and MSDE, and some of the children under the jurisdiction of DHMH, for a total of 12,840 children, reside in facilities operated by private nonprofit vendors. It is assumed that the rest of the children reside in State-owned or State-operated facilities under the jurisdiction of DHMH or DJJ. Assuming one room for each committed child, the estimated costs for lead-contaminated dust testing in the State-owned and State-operated facilities is as follows

DHMH (269 children/rooms)	\$8,070
DJJ (2,122 children/rooms)	<u>63,660</u>
<b>Total</b>	<b>\$71,730</b>

This estimate assumes that three samples per room are taken at a cost of \$10 per sample. The estimate further assumes that the State would pay the costs for lead-contaminated dust testing in State-owned and State-operated facilities.

The bill does not specifically address remediation. If remediation is required as a result of the testing, significant additional costs would be incurred.

**Small Business Effect:** It is believed that the costs of this bill would primarily be borne by small private nonprofit vendors that operate group homes, foster care facilities, and shelter care facilities. It is assumed that these businesses would be required to pay the costs for testing in their facilities (to the extent that they have not already been required to conduct testing to meet licensing requirements). Using the same methodology used to calculate testing costs for the State, the estimated total testing costs for small businesses would be \$385,200 (12,840 x \$10 x 3).

Small businesses that perform lead-contaminated dust testing could receive additional business as a result of the bill.

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## Additional Information

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** Department of Juvenile Justice, Maryland Department of the Environment, Department of Legislative Services

**Fiscal Note History:** First Reader - February 20, 2000  
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