

Department of Legislative Services
Maryland General Assembly
2003 Session

FISCAL AND POLICY NOTE

House Bill 167
Judiciary

(Delegate Owings)

Crimes - Unseasoned or Treated Wood - Prohibition

This bill prohibits a person from burning unseasoned wood or wood treated with any synthetic chemical in a fireplace or wood stove located in a residence that is within 200 feet of another residence. A violator is guilty of a misdemeanor and subject to a fine of up to \$500 for each violation.

Fiscal Summary

State Effect: Potential minimal increase in general fund revenues due to the bill's monetary penalty provision. No effect on expenditures.

Local Effect: None. Enforcement could be handled with existing budgeted resources.

Small Business Effect: None.

Analysis

Current Law: There are no explicit State laws governing the burning of green or treated wood in fireplaces or wood stoves as a nuisance or health hazard to neighbors.

Background: Air pollution is generally regarded as a health issue. It can cause lung disease and worsen existing heart and lung diseases. According to the Department of Natural Resources, the main cause of poor indoor air quality is the release of gases and particles, or off-gassing, from paints, chemicals, coatings, and finishes. Burning treated or painted wood – such as wood treated with arsenic, creosote, or lead-based paint – can produce poisonous gases. Because green or unseasoned wood contains up to 50% water, burning such wood causes fire to smoke.

In 2002, a bill to ban the sale of “arsenic-treated wood,” meaning wood or lumber that has been treated with a pressurized solution containing chromated copper arsenate, was introduced and withdrawn (HB 624).

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Carroll County, Cecil County, Montgomery County, Harford County, St. Mary’s County, Department of State Police (State Fire Marshal), Department of Legislative Services

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