
By: **The Speaker (By Request - Administration) and Delegates Arnick, Aumann, Bartlett, Boschert, Boteler, Boutin, Burns, Carter, V. Clagett, Cluster, Cryor, C. Davis, DeBoy, Donoghue, Doory, Eckardt, Edwards, Elliott, Elmore, Frank, Frush, Fulton, Goodwin, Haddaway, Hammen, Hogan, Holmes, Jennings, Kach, Kelly, Kirk, Krebs, Love, McComas, McHale, McIntosh, McKee, McMillan, Minnick, Moe, Morhaim, Murray, Myers, Nathan-Pulliam, O'Donnell, Parrott, Quinter, Rosenberg, Shank, Shewell, Smigel, Sossi, Stull, Taylor, Trueschler, Walkup, Weir, Weldon, and Wood Wood, Barve, Benson, Bobo, Bromwell, Bronrott, Costa, Goldwater, Hurson, Kullen, Mandel, McDonough, McConkey, Montgomery, Oaks, Pendergrass, Rudolph, Stern, V. Turner, and Hubbard**

Introduced and read first time: January 25, 2005
Assigned to: Environmental Matters and Health and Government Operations

Committee Report: Favorable with amendments
House action: Adopted
Read second time: March 24, 2005

CHAPTER _____

1 AN ACT concerning

2 **Waste Management Administration - Lead Poisoning Prevention**

3 FOR the purpose of ~~making winter work waivers automatic except under certain~~
4 ~~conditions~~; reducing the elevated blood lead level required to make a certain
5 qualified offer; reducing the elevated blood lead level that initiates a certain
6 notice to property owners; requiring property owners to perform certain
7 procedures ~~for a certain event~~ to satisfy certain requirements; eliminating the
8 grace period for certain violations; ~~providing a transition period for residential~~
9 ~~rental property change in ownership~~; altering certain definitions; and generally
10 relating to lead poisoning prevention.

11 BY repealing and reenacting, with amendments,
12 Article - Environment
13 Section 6-801(g), 6-804, ~~6-815(d)~~, 6-817, 6-819(c), ~~(e)~~, and ~~(j)~~, 6-828, 6-830,
14 6-846, and 6-850
15 Annotated Code of Maryland

1 (1996 Replacement Volume and 2004 Supplement)

2 ~~BY adding to~~

3 ~~Article - Environment~~

4 ~~Section 6-815(f) and 6-819(l)~~

5 ~~Annotated Code of Maryland~~

6 ~~(1996 Replacement Volume and 2004 Supplement)~~

7 BY repealing and reenacting, without amendments,

8 Article - Environment

9 Section ~~6-815(e)~~ and 6-819(f) and (g)

10 Annotated Code of Maryland

11 (1996 Replacement Volume and 2004 Supplement)

12 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF

13 MARYLAND, That the Laws of Maryland read as follows:

14 **Article - Environment**

15 6-801.

16 (g) "Exterior surfaces" means:

17 (1) All fences and porches that are part of an affected property;

18 (2) All outside surfaces of an affected property that are accessible to a
19 child and that ARE:

20 (i) [Are attached] ATTACHED to the outside of an affected
21 property; or

22 (ii) [Consist of other] OTHER buildings AND STRUCTURES,
23 INCLUDING PLAY EQUIPMENT, BENCHES, AND LAUNDRY LINE POLES, that are part of
24 the affected property, EXCEPT BUILDINGS OR STRUCTURES OWNED BY PUBLIC
25 UTILITIES, CABLE PROVIDERS OR A UNIT OF FEDERAL, STATE, OR LOCAL
26 GOVERNMENT, OR ANY PUBLIC, QUASI PUBLIC, OR MUNICIPAL CORPORATION THAT
27 ARE NOT OWNED OR CONTROLLED BY THE OWNER OF THE AFFECTED PROPERTY;
28 and

29 (3) All painted surfaces in stairways, hallways, entrance areas,
30 recreation areas, laundry areas, and garages within a multifamily rental dwelling
31 unit that are common to individual dwelling units and are accessible to a child.

32 6-804.

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

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

4 (2) States that:

5 (i) All interior AND EXTERIOR surfaces of the affected property are
6 lead-free; OR

7 (ii) 1. All INTERIOR SURFACES OF THE AFFECTED PROPERTY
8 ARE LEAD-FREE AND ~~NO~~ ALL exterior painted surfaces of the affected property {that
9 were} ARE chipping, peeling, or flaking {have been restored with nonlead-based
10 paint; and

11 (iii) 2. No exterior painted surfaces of the affected property are
12 chipping, peeling, or flaking}; and

13 (3) Is verified by the Department accredited inspector who performed
14 the test.

15 (b) In order to maintain exemption from the provisions of Part IV of this
16 subtitle UNDER (A)(2)(II) OF THIS SECTION, the owner shall submit to the Department
17 every 2 years a certification, by a Department accredited inspector, stating that no
18 exterior painted surface of the affected property is chipping, peeling, or flaking.

19 ~~6-815.~~

20 (d) (1) ~~Exterior work required to satisfy the risk reduction standard may be~~
21 ~~delayed[, pursuant to a waiver approved by the appropriate person under paragraph~~
22 ~~(2) of this subsection,] during any time period in which exterior work is not required~~
23 ~~to be performed under an applicable local housing code or, if no such time period is~~
24 ~~specified, during the period from November 1 through April 1, inclusive UNLESS~~
25 ~~OTHERWISE ORDERED BY THE CODE OFFICIAL FOR ENFORCEMENT OF THE HOUSING~~
26 ~~CODE OR MINIMUM LIVABILITY CODE OF THE LOCAL JURISDICTION.~~

27 (2) ~~[A waiver under paragraph (1) of this subsection may be approved by~~
28 ~~the code official for enforcement of the housing code or minimum livability code of the~~
29 ~~local jurisdiction, or, if there is no such official, the Department of Housing and~~
30 ~~Community Development.~~

31 (3) ~~Notwithstanding the terms of the waiver, all] ALL work delayed in~~
32 ~~accordance with paragraph (1) of this subsection shall be completed within 30 days~~
33 ~~after the end of the applicable time period.~~

34 ~~[(4)] (3) Any delay allowed under paragraph (1) of this subsection may~~
35 ~~not affect the obligation of the owner to complete all other components of the risk~~
36 ~~reduction standard and to have those components inspected and verified.~~

1 ~~[(5)]~~ (4) If the owner has complied with the requirements of paragraph
2 ~~[(4)]~~ (3) of this subsection, the owner may rent the affected property during any
3 period of delay allowed under paragraph (1) of this subsection.

4 (e) On request of a local jurisdiction, the Secretary may designate the code
5 official for enforcement of the housing code or minimum livability code for the local
6 jurisdiction, or an appropriate employee of the local jurisdiction, to conduct
7 inspections under this subtitle.

8 (F) (1) ~~EXCEPT AS PROVIDED IN § 6-819(C)(3) OF THIS SUBTITLE AND IN~~
9 ~~PARAGRAPH (2) OF THIS SUBSECTION, ON OR AFTER OCTOBER 1, 2005, AN OWNER~~
10 ~~WHO ACQUIRES, THROUGH AN ARM'S LENGTH TRANSACTION, ONE OR MORE~~
11 ~~AFFECTED PROPERTIES THAT ARE NOT IN COMPLIANCE WITH THIS SECTION AND IN~~
12 ~~WHICH NO PERSON AT RISK RESIDES SHALL SATISFY THE PROVISIONS OF THIS~~
13 ~~SECTION IN ACCORDANCE WITH THE FOLLOWING SCHEDULE:~~

14 (I) ~~FOR AN OWNER ACQUIRING 1 AFFECTED PROPERTY THAT IS~~
15 ~~NOT IN COMPLIANCE, WITHIN 30 DAYS;~~

16 (II) ~~FOR AN OWNER ACQUIRING 2 TO 5 AFFECTED PROPERTIES~~
17 ~~THAT ARE NOT IN COMPLIANCE, WITHIN 90 DAYS;~~

18 (III) ~~FOR AN OWNER ACQUIRING 6 TO 10 AFFECTED PROPERTIES~~
19 ~~THAT ARE NOT IN COMPLIANCE, WITHIN 135 DAYS; AND~~

20 (IV) ~~FOR AN OWNER ACQUIRING MORE THAN 10 AFFECTED~~
21 ~~PROPERTIES THAT ARE NOT IN COMPLIANCE, WITHIN 180 DAYS.~~

22 (2) ~~ON OR AFTER OCTOBER 1, 2005, AN OWNER WHO ACQUIRES,~~
23 ~~THROUGH AN ARM'S LENGTH TRANSACTION, AN AFFECTED PROPERTY THAT IS NOT~~
24 ~~IN COMPLIANCE WITH THIS SECTION AND IN WHICH A PERSON AT RISK RESIDES~~
25 ~~SHALL SATISFY THE PROVISIONS OF THIS SECTION WITHIN 30 DAYS.~~

26 6-817.

27 (a) (1) On and after February 24, 2001, an owner of affected properties shall
28 ensure that at least 50% of the owner's affected properties have satisfied the risk
29 reduction standard specified in § 6-815(a) of this subtitle, without regard to the
30 number of affected properties in which there has been a change in occupancy.

31 (2) (i) Notwithstanding any other remedy that may be available, an
32 owner who fails to meet the requirements of subsections (a)(1) and (c) of this section
33 shall lose the liability protection under § 6-836 of this subtitle for any alleged injury
34 or loss caused by the ingestion of lead by a person at risk that is first documented by
35 a test for EBL of 20 ug/dl or more PERFORMED ~~on or after~~ BETWEEN February 24,
36 2001 AND FEBRUARY 23, 2006, INCLUSIVE, OR 15 UG/DL OR MORE PERFORMED ON OR
37 AFTER FEBRUARY 24, 2006, in any of the owner's units that have not satisfied the risk
38 reduction standard specified in § 6-815(a) of this subtitle and the inspection
39 requirement of subsection (c) of this section.

1 (ii) ~~The ON OR AFTER THE DATE THAT THE OWNER MEETS THE~~
2 ~~REQUIREMENTS OF SUBSECTIONS (A)(1) AND (C) OF THIS SECTION, THE~~ liability
3 protection under § 6-836 of this subtitle shall be reinstated ~~ON OR AFTER THE DATE~~
4 ~~THAT THE OWNER MEETS THE REQUIREMENTS OF SUBSECTIONS (A)(1) AND (C) OF~~
5 ~~THIS SECTION~~ for any alleged injury or loss caused by the ingestion of lead by a
6 person at risk that is first documented by a test for EBL of 20 ug/dl or more
7 ~~PERFORMED ON OR AFTER BETWEEN~~ FEBRUARY 24, 2001 ~~AND FEBRUARY 23, 2006,~~
8 ~~INCLUSIVE,~~ OR 15 UG/DL OR MORE PERFORMED ON OR AFTER FEBRUARY 24, 2006 [on
9 or after the date that the owner meets the requirements of subsections (a)(1) and (c)
10 of this section].

11 (b) (1) On and after February 24, 2006, an owner of affected properties shall
12 ensure that 100% of the owner's affected properties in which a person at risk resides,
13 and of whom the owner has been notified in writing, have satisfied the risk reduction
14 standard specified in § 6-815(a) of this subtitle.

15 (2) (i) Notwithstanding any other remedy that may be available, an
16 owner who fails to meet the requirements of subsections (b)(1) and (c) of this section,
17 or of § 6-819(e) of this subtitle shall lose the liability protection under § 6-836 of this
18 subtitle for any alleged injury or loss caused by the ingestion of lead by a person at
19 risk that is first documented by a test for EBL of [20] 15 ug/dl or more on or after
20 February 24, 2006 in any of the owner's units that have not satisfied the risk
21 reduction standard specified in § 6-815(a) of this subtitle, the inspection requirement
22 of subsection (c) of this section, or the modified risk reduction standard specified in §
23 6-819(a) of this subtitle, as applicable.

24 (ii) The liability protection under § 6-836 of this subtitle shall be
25 reinstated for any alleged injury or loss caused by the ingestion of lead that is first
26 documented by a test for EBL of [20] 15 ug/dl or more after the date that the owner
27 meets the requirements of subsections (b)(1) and (c) of this section and the
28 requirements of § 6-819(e) of this subtitle.

29 (iii) The provisions of this paragraph do not apply if the owner
30 proves that the noncompliance results from:

31 1. A tenant's lack of cooperation with the owner's compliance
32 efforts; or

33 2. Legal action affecting access to the unit.

34 (3) Notice given under subsection (b)(1) of this section shall be sent by:

35 (i) Certified mail, return receipt requested; or

36 (ii) A verifiable method approved by the Department.

37 (c) On each occasion that an affected property which has not undergone a
38 change in occupancy is treated to satisfy the requirements of this section, the owner of
39 the affected property shall have the property inspected to verify that the risk
40 reduction standard specified in § 6-815(a) has been satisfied.

1 (d) The owner of an affected property shall be responsible for the cost of any
 2 temporary relocation of the tenants of the affected property that is necessary to fulfill
 3 the requirements of this section.

4 ~~(E) (1) EXCEPT AS PROVIDED IN § 6-819(C)(3) OF THIS SUBTITLE AND~~
 5 ~~PARAGRAPH (2) OF THIS SUBSECTION, ON OR AFTER OCTOBER 1, 2005, AN OWNER~~
 6 ~~WHO ACQUIRES, THROUGH AN ARM'S LENGTH TRANSACTION, ONE OR MORE~~
 7 ~~AFFECTED PROPERTIES SHALL SATISFY THE PROVISIONS OF THIS SECTION IN~~
 8 ~~ACCORDANCE WITH THE FOLLOWING SCHEDULE:~~

9 (I) FOR AN OWNER ACQUIRING 1 AFFECTED PROPERTY, WITHIN 30
 10 DAYS;

11 (II) FOR AN OWNER ACQUIRING 2 TO 5 AFFECTED PROPERTIES,
 12 WITHIN 90 DAYS;

13 (III) FOR AN OWNER ACQUIRING 6 TO 10 AFFECTED PROPERTIES,
 14 WITHIN 135 DAYS; AND

15 (IV) FOR AN OWNER ACQUIRING MORE THAN 10 AFFECTED
 16 PROPERTIES, WITHIN 180 DAYS.

17 (2) ON OR AFTER FEBRUARY 24, 2006, AN OWNER WHO ACQUIRES,
 18 THROUGH AN ARM'S LENGTH TRANSACTION, AN AFFECTED PROPERTY IN WHICH A
 19 PERSON AT RISK RESIDES, SHALL SATISFY THE PROVISIONS OF THIS SECTION
 20 WITHIN 30 DAYS.

21 6-819.

22 (c) (1) After February 23, 1996, an owner of an affected property shall
 23 satisfy the modified risk reduction standard:

24 (i) Within 30 days after receipt of written notice that a person at
 25 risk who resides in the property has an elevated blood lead level DOCUMENTED BY A
 26 TEST FOR EBL greater than or equal to 15 ug/dl BEFORE FEBRUARY 24, 2006; OR
 27 GREATER THAN OR EQUAL TO 10 UG/DL ON OR AFTER FEBRUARY 24, 2006; or

28 (ii) ~~Except as provided in paragraph (2) of this subsection, within~~
 29 WITHIN 30 days after receipt of written notice from the tenant, or from any other
 30 source, of:

31 1. A defect; and

32 2. The existence of a person at risk in the affected property.

33 (2) ~~IF AN OWNER OF AN AFFECTED PROPERTY SATISFIES THE~~
 34 ~~PROVISIONS OF (F) OR (G) OF THIS SECTION AFTER THE DATE OF AN ELEVATED~~
 35 ~~BLOOD LEAD LEVEL, AS DOCUMENTED BY A TEST, EQUAL TO OR GREATER THAN 15~~
 36 ~~UG/DL OR A NOTICE OF DEFECT, THE OWNER SHALL HAVE MET THE REQUIREMENTS~~
 37 ~~OF THE MODIFIED RISK REDUCTION STANDARD (I) AN OWNER WHO RECEIVES~~

1 MULTIPLE NOTICES OF AN ELEVATED BLOOD LEVEL UNDER THIS SUBSECTION OR
 2 MULTIPLE NOTICES OF DEFECT UNDER SUBSECTION (D) OF THIS SECTION MAY
 3 SATISFY ALL SUCH NOTICES BY SUBSEQUENT COMPLIANCE WITH THE RISK
 4 REDUCTION MEASURES SPECIFIED IN SUBSECTION (A) OF THIS SECTION, AS
 5 DOCUMENTED BY SATISFACTION OF SUBSECTION (F) OR SUBSECTION (G) OF THIS
 6 SECTION, IF THE OWNER COMPLIES WITH THE RISK REDUCTION MEASURES
 7 SPECIFIED IN SUBSECTION (A) OF THIS SECTION AFTER THE DATE OF THE TEST
 8 DOCUMENTING THE ELEVATED BLOOD LEVEL OR AFTER THE DATE THE NOTICES OF
 9 DEFECT WERE ISSUED.

10 (II) SUBPARAGRAPH (I) OF THIS PARAGRAPH DOES NOT AFFECT AN
 11 OWNER'S OBLIGATION TO PERFORM THE RISK REDUCTION MEASURES SPECIFIED IN
 12 SUBSECTION (A) OF THIS SECTION FOR A TRIGGERING EVENT THAT OCCURS AFTER
 13 THE OWNER SATISFIES THE PROVISIONS OF SUBPARAGRAPH (I) OF THIS PARAGRAPH.

14 (3) ~~[After February 23, 1996, and before May 23, 1997, an owner of a~~
 15 ~~number of affected properties shall satisfy the modified risk reduction standard~~
 16 ~~within the specified period after receipt of written notice from the tenant, or from any~~
 17 ~~other source, of a defect in accordance with the following schedule:~~

18 (i) ~~For an owner of 300 or fewer affected properties, within 30 days;~~
 19 ~~and~~

20 (ii) ~~For an owner of more than 300 affected properties:~~

21 1. ~~If the owner has received notice from the tenant, or from~~
 22 ~~any other source, of the existence of a person at risk in the affected property, within~~
 23 ~~60 days; or~~

24 2. ~~If the owner has not received notice from the tenant, or~~
 25 ~~from any other source, of the existence of a person at risk in the affected property,~~
 26 ~~within 90 days.] ON OR AFTER OCTOBER 1, 2005, AN OWNER WHO ACQUIRES,~~
 27 ~~THROUGH AN ARM'S LENGTH TRANSACTION, AN AFFECTED PROPERTY THAT IS NOT~~
 28 ~~IN COMPLIANCE WITH THIS SUBSECTION SHALL SATISFY THE PROVISIONS OF THIS~~
 29 ~~SECTION WITHIN 30 DAYS AFTER ACQUISITION.~~

30 (e) ~~Except as provided in § 6-817(b) of this subtitle, on and after February 24,~~
 31 ~~2006, an owner of affected properties shall:~~

32 (1) ~~[ensure] ENSURE that 100% of the owner's affected properties in~~
 33 ~~which a person at risk does not reside have satisfied the modified risk reduction~~
 34 ~~standard; AND~~

35 (2) ~~EXCEPT AS PROVIDED IN SUBSECTION (C)(3) OF THIS SECTION, ON OR~~
 36 ~~AFTER FEBRUARY 24, 2006, AN OWNER WHO ACQUIRES, THROUGH AN ARM'S LENGTH~~
 37 ~~TRANSACTION, AN AFFECTED PROPERTY IN WHICH NO PERSON AT RISK RESIDES~~
 38 ~~SHALL SATISFY THE PROVISIONS OF THIS SECTION IN ACCORDANCE WITH THE~~
 39 ~~FOLLOWING SCHEDULE:~~

- 1 (I) ~~FOR AN OWNER ACQUIRING 1 AFFECTED PROPERTY, WITHIN 30~~
2 ~~DAYS;~~
- 3 (II) ~~FOR AN OWNER ACQUIRING 2 TO 5 AFFECTED PROPERTIES,~~
4 ~~WITHIN 90 DAYS;~~
- 5 (III) ~~FOR AN OWNER ACQUIRING 6 TO 10 AFFECTED PROPERTIES,~~
6 ~~WITHIN 135 DAYS; AND~~
- 7 (IV) ~~FOR AN OWNER ACQUIRING MORE THAN 10 AFFECTED~~
8 ~~PROPERTIES, WITHIN 180 DAYS.~~

9 (f) (1) An owner of an affected property shall verify satisfaction of the
10 modified risk reduction standard by submitting a statement of the work performed on
11 the property, verified by the tenant and an accredited supervisor or contractor, to the
12 Department on or before the tenth day of the month following the month in which the
13 work was completed.

14 (2) (i) If the tenant fails or refuses to verify the statement of work
15 performed on the affected property, the owner shall within 5 business days of the
16 failure or refusal, contact an inspector accredited under § 6-818(a) of this subtitle to
17 inspect the affected property.

18 (ii) The inspector's report shall either certify that the work required
19 to be performed under this section was satisfactorily completed or specify precisely
20 what additional work is required.

21 (iii) If additional work is required:

22 1. The owner shall have 20 days after receipt of the
23 inspector's report in which to perform the work, subject to a weather delay under the
24 provisions of subsection (j) of this section; and

25 2. The inspector shall reinspect the affected property after
26 the additional work is completed and:

27 A. Issue a report certifying that the work is complete; and

28 B. Mail a copy of the report to the tenant, the owner, and the
29 Department within 10 days after the inspection or reinspection.

30 (g) In lieu of satisfying the modified risk reduction standard, the owner of an
31 affected property may elect to pass the test for lead-contaminated dust under § 6-816
32 of this subtitle provided that any chipping, peeling, or flaking paint has been removed
33 or repainted on:

34 (1) The exterior painted surfaces of the residential building in which the
35 rental dwelling unit is located; and

36 (2) The interior painted surfaces of the rental dwelling unit.

1 (j) (1) Exterior work required to satisfy the modified risk reduction
 2 standard may be delayed[, pursuant to a waiver approved by the appropriate person
 3 under paragraph (2) of this subsection,] during any time period in which exterior
 4 work is not required to be performed under an applicable local housing code or, if no
 5 such time period is specified, during the period from November 1 through April 1,
 6 inclusive, ~~UNLESS OTHERWISE ORDERED BY THE CODE OFFICIAL FOR~~
 7 ~~ENFORCEMENT OF THE HOUSING CODE OR MINIMUM LIVABILITY CODE OF THE~~
 8 ~~LOCAL JURISDICTION.~~

9 (2) [~~A waiver under paragraph (1) of this subsection may be approved by~~
 10 ~~the code official for enforcement of the housing code or minimum livability code of the~~
 11 ~~local jurisdiction, or, if there is no such official, the Department of Housing and~~
 12 ~~Community Development.~~

13 (3) Notwithstanding the terms of the waiver, all] ALL work delayed in
 14 accordance with paragraph (1) of this subsection shall be completed within 30 days
 15 after the end of the applicable time period.

16 [(4)] (3) Any delay allowed under paragraph (1) of this subsection may
 17 not affect the obligation of the owner to complete all other components of the risk
 18 reduction standard and to have those components inspected and verified.

19 (L) ~~AN OWNER WHO ACQUIRES AN AFFECTED PROPERTY ON OR AFTER~~
 20 ~~OCTOBER 1, 2005, THAT IS NOT IN COMPLIANCE WITH THIS SECTION SHALL SATISFY~~
 21 ~~THE PROVISIONS OF THIS SECTION WITHIN 30 DAYS AFTER ACQUISITION.~~

22 6-828.

23 (a) This section applies to an owner of an affected property who has, with
 24 respect to the affected property, complied with the applicable requirements of §§
 25 6-811, 6-812, 6-815, 6-817, and 6-819 of this subtitle, and has sent to the tenant the
 26 notices required by §§ 6-820 and 6-823 of this subtitle.

27 (b) A person may not bring an action against an owner of an affected property
 28 for damages arising from alleged injury or loss to a person at risk caused by the
 29 ingestion of lead by a person at risk that is first documented by a test for EBL of 25
 30 ug/dl or more performed ~~on or after~~ BETWEEN February 24, 1996 AND FEBRUARY 23,
 31 2001, INCLUSIVE, or 20 ug/dl or more performed ~~on or after~~ BETWEEN February 24,
 32 2001 AND FEBRUARY 23, 2006, INCLUSIVE, OR 15 UG/DL OR MORE PERFORMED ON OR
 33 AFTER FEBRUARY 24, 2006, unless the owner has been given:

34 (1) Written notice from any person that the elevated blood level of a
 35 person at risk is:

36 (i) Greater than or equal to 25 ug/dl as first documented by a test
 37 for EBL performed ~~on or after~~ BETWEEN February 24, 1996 AND FEBRUARY 23, 2001,
 38 INCLUSIVE; [or]

39 (ii) ~~On or after~~ BETWEEN February 24, 2001 AND FEBRUARY 23,
 40 2006, INCLUSIVE, an EBL greater than or equal to 20 ug/dl as first documented by a

1 test for EBL performed ~~on or after~~ BETWEEN February 24, 2001 AND FEBRUARY 23,
2 2006, INCLUSIVE; OR

3 (III) ON OR AFTER FEBRUARY 24, 2006, AN EBL GREATER THAN OR
4 EQUAL TO 15 UG/DL AS FIRST DOCUMENTED BY A TEST FOR EBL PERFORMED ON OR
5 AFTER FEBRUARY 24, 2006; and

6 (2) An opportunity to make a qualified offer under § 6-831 of this
7 subtitle.

8 6-830.

9 If, ~~on or after~~ BETWEEN February 24, 1996 AND FEBRUARY 23, 2001, INCLUSIVE,
10 the concentration of lead in a whole venous blood sample of a person at risk tested
11 within 30 days after the person at risk begins residence or to regularly spend at least
12 24 hours per week in an affected property that is certified as being in compliance with
13 the provisions of § 6-815 of this subtitle is greater than or equal to 25 ug/dl, or, ~~on and~~
14 ~~after~~ BETWEEN February 24, 2001 AND FEBRUARY 23, 2006, INCLUSIVE, greater than
15 or equal to 20 ug/dl, OR, ON OR AFTER FEBRUARY 24, 2006, GREATER THAN OR EQUAL
16 TO 15 UG/DL, it shall be presumed that the ingestion of lead occurred before a person
17 at risk began residing or regularly spending at least 24 hours per week in the affected
18 property.

19 6-846.

20 (a) A local health department that receives the results of a blood lead test
21 under § 6-303 of this title indicating that a person at risk has an EBL greater than or
22 equal to 15 ug/dl BEFORE FEBRUARY 24, 2006, OR GREATER THAN OR EQUAL TO 10
23 UG/DL ON OR AFTER FEBRUARY 24, 2006, shall notify:

24 (1) The person at risk, or in the case of a minor, the parent of the person
25 at risk, of the results of the test; and

26 (2) The owner of the affected property in which the person at risk resides
27 or regularly spends at least 24 hours per week of the results of the test.

28 (b) The notices to be provided to the parent or owner under subsection (a) of
29 this section shall be on the forms prepared by the Department, and shall contain any
30 information required by the Department.

31 6-850.

32 (a) Except as provided in § 6-849 of this subtitle, in addition to any other
33 remedies provided in this subtitle, the provisions and procedures of §§ 7-256 through
34 7-264 and 7-266(b) of this article shall be used and shall apply to enforce violations of
35 this subtitle, provided that the penalty imposed under § 7-266(b)(2)(i) of this article
36 may not exceed \$250 per day for any violation of this subtitle [which is not cured
37 within 20 days after receipt of notice of the violation by the owner].

1 (b) If an accredited supervisor falsely verifies that work was performed on an
2 affected property pursuant to § 6-819(f) of this subtitle, the owner of the affected
3 property who employs the supervisor and who has actual knowledge of the false
4 verification shall be subject to a civil penalty not to exceed \$15,000.

5 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
6 October 1, 2005.