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By: **Delegate Marriott (By Request - Baltimore City Administration) and  
Delegates Anderson, Branch, C. Davis, Doory, Hammen, Haynes, Kirk,  
Krysiak, and Paige**

Introduced and read first time: January 28, 2005

Assigned to: Environmental Matters

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A BILL ENTITLED

1 AN ACT concerning

2 **Residential Property - Registration - Lead Paint Regulation**

3 FOR the purpose of adding registration of residential rental property as an event that  
4 triggers the requirement that the property owner report compliance with certain  
5 provisions of law regulating lead paint; requiring the property owner to state  
6 under oath whether the owner has units of affected property, whether all units  
7 of affected property are registered, and whether each unit of affected property  
8 meets certain lead risk reduction requirements; repealing the requirement that  
9 the property owner report that the residential property is not an affected  
10 property; repealing the requirement that the property owner report affected  
11 property inspection certificate numbers under certain circumstances; and  
12 generally relating to registration of residential rental property and compliance  
13 with provisions of law regulating lead paint.

14 BY repealing and reenacting, without amendments,  
15 Article 24 - Political Subdivisions - Miscellaneous Provisions  
16 Section 19-101, 19-102, and 19-104  
17 Annotated Code of Maryland  
18 (2001 Replacement Volume and 2004 Supplement)

19 BY repealing and reenacting, with amendments,  
20 Article 24 - Political Subdivisions - Miscellaneous Provisions  
21 Section 19-103  
22 Annotated Code of Maryland  
23 (2001 Replacement Volume and 2004 Supplement)

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

1 **Article 24 - Political Subdivisions - Miscellaneous Provisions**

2 19-101.

3 (a) In this title the following words have the meanings indicated.

4 (b) "Affected property" has the meaning stated in § 6-801(b) of the  
5 Environment Article.

6 (c) "Local government" means:

7 (1) A county; or

8 (2) A municipal corporation.

9 (d) (1) "Residential property" means a building or a portion of a building  
10 that provides complete living facilities, including, at a minimum, facilities for cooking,  
11 sanitation, and sleeping.

12 (2) "Residential property" includes:

13 (i) A single-family unit in a multifamily dwelling; and

14 (ii) A "rental dwelling unit" as defined under § 6-801(t) of the  
15 Environment Article.

16 19-102.

17 This title applies to the regulation in any manner by a local government of  
18 residential property that is rented or leased, including regulation by the issuance or  
19 renewal of:20 (1) A license or registration to authorize the owner of residential  
21 property to engage in the business of renting or leasing the residential property;22 (2) A license or registration to authorize residential property to be rented  
23 or leased; or24 (3) A certification that residential property that is rented or leased is in  
25 compliance with a local housing, livability, or property maintenance code.

26 19-103.

27 Before a local government authorizes or certifies residential property to be  
28 rented or leased, OR REGISTERS RESIDENTIAL RENTAL PROPERTY FOR ANY REASON,  
29 the owner of the residential property shall state in writing to the local government  
30 under penalty of perjury:

31 [(1) That the residential property is not an affected property; or]

1 (1) WHETHER ONE OR MORE OF THE OWNER'S RENTAL DWELLING  
2 UNITS ARE AFFECTED PROPERTY; AND

3 (2) [(i) That the residential property is an] WHETHER ALL UNITS OF  
4 affected property [that the landlord has] ARE registered [as required under § 6-811  
5 of the Environment Article and for which the landlord has renewed the registration as  
6 required under § 6-812 of the Environment Article; and] FOR THE CURRENT YEAR  
7 WITH THE DEPARTMENT OF THE ENVIRONMENT AS REQUIRED UNDER §§ 6-811 AND  
8 6-812 OF THE ENVIRONMENT ARTICLE; AND

9 [(ii) 1. If the current tenant moved into the property on or after  
10 February 24, 1996, the inspection certificate number for the inspection conducted for  
11 the current tenancy as required under § 6-815(c) of the Environment Article; or

12 2. On or after February 24, 2006, the inspection certificate  
13 number for the inspection conducted for the current tenancy as required under §  
14 6-815(c), § 6-817(b), or § 6-819(e) of the Environment Article.]

15 (3) WHETHER EACH UNIT OF AFFECTED PROPERTY MEETS THE LEAD  
16 RISK REDUCTION REQUIREMENTS OF TITLE 6, SUBTITLE 8, PART IV OF THE  
17 ENVIRONMENT ARTICLE.

18 19-104.

19 In addition to reporting as required under § 6-848.2 of the Environment Article  
20 any known noncompliance of an affected property with the provisions of Title 6,  
21 Subtitle 8 of the Environment Article, a local government may forward to the  
22 Department of the Environment any information obtained under this title regarding  
23 residential property.

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