
By: **Senators Hooper, Colburn, and Jacobs**

Introduced and read first time: February 2, 2005

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Public Health - Children - Notice of Drinking Water Contamination**

3 FOR the purpose of requiring certain private schools, public schools, child care
4 centers, and family day care homes to give notice of drinking water
5 contamination to the parent or legal guardian of each child attending the school,
6 child care center, or family day care home; establishing certain requirements for
7 the notice; and generally relating to notice of drinking water contamination.

8 BY adding to
9 Article - Education
10 Section 2-206(l) and 7-421
11 Annotated Code of Maryland
12 (2004 Replacement Volume and 2004 Supplement)

13 BY repealing and reenacting, with amendments,
14 Article - Family Law
15 Section 5-551(c)(10) and (11)
16 Annotated Code of Maryland
17 (2004 Replacement Volume)

18 BY adding to
19 Article - Family Law
20 Section 5-551(c)(12) and 5-573(b)(9)
21 Annotated Code of Maryland
22 (2004 Replacement Volume)

23 BY repealing and reenacting, without amendments,
24 Article - Family Law
25 Section 5-551(a) and (b) and 5-573(a)
26 Annotated Code of Maryland
27 (2004 Replacement Volume)

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

3 **Article - Education**

4 2-206.

5 (L) (1) EACH NONCOLLEGIATE EDUCATIONAL INSTITUTION THAT
6 RECEIVES NOTICE OF A CONTAMINATED DRINKING WATER SUPPLY FROM THE
7 INSTITUTION'S SUPPLIER OF WATER, IN ACCORDANCE WITH § 9-410 OF THE
8 ENVIRONMENT ARTICLE OR OTHERWISE, SHALL SEND NOTICE OF THE DRINKING
9 WATER CONTAMINATION TO THE PARENT OR LEGAL GUARDIAN OF EACH STUDENT
10 ATTENDING THE INSTITUTION.

11 (2) THE NOTICE SHALL:

12 (I) BE SENT BY THE INSTITUTION WITHIN 10 BUSINESS DAYS
13 AFTER RECEIPT OF THE NOTICE OF CONTAMINATION FROM THE INSTITUTION'S
14 WATER SUPPLIER;

15 (II) BE IN WRITING; AND

16 (III) IDENTIFY THE CONTAMINANTS AND THEIR LEVELS IN THE
17 INSTITUTION'S WATER SUPPLY.

18 (3) THE STATE BOARD SHALL CONSIDER AN INSTITUTION'S FAILURE TO
19 SEND THE NOTICE REQUIRED UNDER THIS SUBSECTION IN DETERMINING WHETHER
20 THE INSTITUTION CONTINUES TO MEET THE CONDITIONS OR STANDARDS ON WHICH
21 THE INSTITUTION'S CERTIFICATE OF APPROVAL IS BASED.

22 7-421.

23 (A) EACH PUBLIC SCHOOL THAT RECEIVES NOTICE OF A CONTAMINATED
24 DRINKING WATER SUPPLY FROM THE SCHOOL'S SUPPLIER OF WATER, IN
25 ACCORDANCE WITH § 9-410 OF THE ENVIRONMENT ARTICLE OR OTHERWISE, SHALL
26 SEND NOTICE OF THE DRINKING WATER CONTAMINATION TO THE PARENT OR LEGAL
27 GUARDIAN OF EACH STUDENT ATTENDING THE SCHOOL.

28 (B) THE NOTICE SHALL:

29 (1) BE SENT BY THE SCHOOL WITHIN 10 BUSINESS DAYS AFTER RECEIPT
30 OF THE NOTICE OF CONTAMINATION FROM THE SCHOOL'S WATER SUPPLIER;

31 (2) BE IN WRITING; AND

32 (3) IDENTIFY THE CONTAMINANTS AND THEIR LEVELS IN THE SCHOOL'S
33 WATER SUPPLY.

1

Article - Family Law

2 5-551.

3 (a) The Department shall adopt rules and regulations that relate to the
4 registration of family day care homes.

5 (b) So far as practicable, the rules and regulations shall be uniform with the
6 rules and regulations adopted by other State agencies as those rules and regulations
7 relate to other types of day care.

8 (c) At a minimum, the rules and regulations shall provide for:

9 (10) a requirement that a person who advertises a family day care home
10 or family day care service shall:

11 (i) indicate in the advertisement that the family day care home is
12 registered; and

13 (ii) display in the advertisement the registration number issued to
14 the family day care home or family day care service by the Department; [and]

15 (11) a requirement that each registered day care provider shall hold a
16 current certificate indicating successful completion of approved:

17 (i) basic first aid training through the American Red Cross or
18 through a program with equivalent standards; and

19 (ii) cardiopulmonary resuscitation (CPR) training through the
20 American Heart Association or through a program with equivalent standards
21 appropriate for the ages of children for whom care is provided in the family day care
22 home; AND

23 (12) (I) A REQUIREMENT THAT A FAMILY DAY CARE HOME THAT
24 RECEIVES NOTICE OF A CONTAMINATED DRINKING WATER SUPPLY FROM THE
25 FAMILY DAY CARE HOME'S SUPPLIER OF WATER, IN ACCORDANCE WITH § 9-410 OF
26 THE ENVIRONMENT ARTICLE OR OTHERWISE, SEND NOTICE OF THE DRINKING
27 WATER CONTAMINATION TO THE PARENT OR LEGAL GUARDIAN OF EACH CHILD
28 ATTENDING THE FAMILY DAY CARE HOME.

29 (II) REQUIREMENTS THAT THE NOTICE SENT BY THE FAMILY DAY
30 CARE HOME SHALL:

31 1. BE SENT WITHIN 10 BUSINESS DAYS AFTER RECEIPT OF
32 THE NOTICE OF CONTAMINATION FROM THE FAMILY DAY CARE HOME'S WATER
33 SUPPLIER;

34 2. BE IN WRITING; AND

35 3. IDENTIFY THE CONTAMINANTS AND THEIR LEVELS IN
36 THE FAMILY DAY CARE HOME'S WATER SUPPLY.

1 5-573.

2 (a) The Secretary shall adopt rules and regulations for licensing and operating
3 child care centers.

4 (b) These rules and regulations shall:

5 (9) (I) REQUIRE THAT A CHILD CARE CENTER THAT RECEIVES NOTICE
6 OF A CONTAMINATED DRINKING WATER SUPPLY FROM THE CHILD CARE CENTER'S
7 SUPPLIER OF WATER, IN ACCORDANCE WITH § 9-410 OF THE ENVIRONMENT ARTICLE
8 OR OTHERWISE, SEND NOTICE OF THE DRINKING WATER CONTAMINATION TO THE
9 PARENT OR LEGAL GUARDIAN OF EACH CHILD ATTENDING THE CHILD CARE
10 CENTER.

11 (II) REQUIRE THAT THE NOTICE SENT BY THE CHILD CARE CENTER
12 SHALL:

13 1. BE SENT WITHIN 10 BUSINESS DAYS AFTER RECEIPT OF
14 THE NOTICE OF CONTAMINATION FROM THE CHILD CARE CENTER'S WATER
15 SUPPLIER;

16 2. BE IN WRITING; AND

17 3. IDENTIFY THE CONTAMINANTS AND THEIR LEVELS IN
18 THE CENTER'S WATER SUPPLY.

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