

## CHAPTER 223

(House Bill 164)

AN ACT concerning

### **Education – Relocatable Classrooms – Indoor Air Quality Standards**

FOR the purpose of requiring the Board of Public Works, in consultation with the Department of General Services *and the Department of Housing and Community Development*, to adopt regulations to establish certain standards and specifications to enhance the indoor air quality of certain relocatable classrooms; *providing for the application of this Act*; and generally relating to regulations governing the indoor air quality of relocatable classrooms.

BY repealing and reenacting, without amendments,  
Article – Education  
Section 5–301(a)  
Annotated Code of Maryland  
(2006 Replacement Volume)

~~BY repealing and reenacting, with amendments,  
Article – Education  
Section 5–301(b)  
Annotated Code of Maryland  
(2006 Replacement Volume)~~

BY adding to  
Article – Education  
Section 5–301(b–1)  
Annotated Code of Maryland  
(2006 Replacement Volume)

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

### **Article – Education**

5–301.

(a) In this subtitle, "Interagency Committee" means the Interagency Committee on School Construction established under § 5-302 of this subtitle.

~~(b) (1) For the purposes of this section other than subsection (c), the Board of Public Works shall define by regulation what constitutes an eligible and ineligible public school construction or capital improvement cost.~~

~~(2) (i) The purchase of relocatable classrooms shall be an eligible public school construction or capital cost.~~

~~(ii) The Board of Public Works, IN CONSULTATION WITH THE DEPARTMENT OF GENERAL SERVICES, shall adopt regulations that define relocatable classrooms and establish the minimum specifications for relocatable classrooms which may be purchased OR LEASED using State OR LOCAL funds.~~

~~(iii) THE REGULATIONS REQUIRED UNDER SUBPARAGRAPH (ii) OF THIS PARAGRAPH SHALL INCLUDE CRITERIA DESIGNED TO ENHANCE INDOOR AIR QUALITY FOR THE OCCUPANTS OF THE RELOCATABLE CLASSROOMS, INCLUDING SPECIFICATIONS THAT:~~

*(B-1) THE BOARD OF PUBLIC WORKS, IN CONSULTATION WITH THE DEPARTMENT OF GENERAL SERVICES AND THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT, SHALL ADOPT REGULATIONS ESTABLISHING CRITERIA DESIGNED TO ENHANCE INDOOR AIR QUALITY FOR THE OCCUPANTS OF RELOCATABLE CLASSROOMS PURCHASED OR LEASED USING STATE OR LOCAL FUNDS, INCLUDING SPECIFICATIONS THAT:*

~~1. (1)~~ REQUIRE EACH UNIT TO INCLUDE APPROPRIATE AIR BARRIERS TO LIMIT INFILTRATION;

~~2. (2)~~ REQUIRE THAT EACH UNIT BE CONSTRUCTED IN A MANNER THAT PROVIDES PROTECTION AGAINST WATER DAMAGE THROUGH THE USE OF PROPER ROOFING MATERIALS, EXTERIOR SHEATHING, WATER DRAINAGE SYSTEMS, AND FLASHING;

~~3. (3)~~ REQUIRE THAT EACH UNIT PROVIDE CONTINUOUS FORCED VENTILATION WHEN THE UNIT IS OCCUPIED;

~~4. (4)~~ REQUIRE EACH UNIT TO INCLUDE A PROGRAMMABLE THERMOSTAT;

~~5.~~ **(5) REQUIRE EACH UNIT TO BE OUTFITTED WITH AN ENERGY EFFICIENT LIGHTING AND HEATING AND AIR-CONDITIONING SYSTEM SYSTEMS; AND**

~~6.~~ **(6) MANDATE THAT EACH UNIT BE CONSTRUCTED WITH BUILDING MATERIALS THAT CONTAIN LOW AMOUNTS OF VOLATILE ORGANIC COMPOUNDS (VOC).**

~~[(iii)](IV) In the budgets for fiscal years 2006 through 2008, the Governor shall include \$1,000,000 for public school construction, in excess of the estimates of funding for public school construction contained in the fiscal year 2005 through fiscal year 2009 Capital Improvement Plan, to be used to fund the State share of the cost of purchasing relocatable classrooms.~~

~~(3) (i) The Board of Public Works shall include modular construction as an approved public school construction or capital cost.~~

~~(ii) The Board of Public Works, at the recommendation of the Interagency Committee on School Construction, shall adopt regulations that:~~

~~1. Define modular construction; and~~

~~2. Establish the minimum specifications required for approval of modular construction as a public school construction or capital improvement cost.~~

~~(4) The cost of acquiring land may not be considered a construction or capital improvement cost and may not be paid by the State.~~

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be construed to apply only prospectively and may not be applied or interpreted to have any effect on or application to any relocatable classrooms purchased or leased before the effective date of this Act.

SECTION ~~2.~~ 3. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2007.

**Approved by the Governor, April 24, 2007.**