

SENATE BILL 704

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9lr2007

By: **Senators Klausmeier, Astle, Brochin, Della, Kasemeyer, Robey, Stone, and Zirkin**

Introduced and read first time: February 6, 2009

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Public Health – Construction Sites – Toilets and Lavatories**

3 FOR the purpose of prohibiting a State or local authority from issuing a certain
4 building permit for certain construction projects unless the site has a toilet and
5 lavatory that meet certain requirements; requiring certain toilets to be flush
6 toilets under certain circumstances; providing that certain provisions apply only
7 to certain construction projects that have a certain total cost; defining a certain
8 term; and generally relating to the provision of toilets and lavatories at
9 construction sites.

10 BY adding to

11 Article – Health – General

12 Section 24–211.1

13 Annotated Code of Maryland

14 (2005 Replacement Volume and 2008 Supplement)

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

17 **Article – Health – General**

18 **24–211.1.**

19 (A) (1) **A STATE OR LOCAL AUTHORITY MAY NOT ISSUE A BUILDING**
20 **PERMIT THAT AUTHORIZES ANY CONSTRUCTION FOR A CONSTRUCTION**
21 **PROJECT THAT MEETS THE REQUIREMENTS OF SUBSECTION (C) OF THIS**
22 **SECTION UNLESS THE SITE HAS:**

23 (I) **A CONVENIENT TOILET THAT IS:**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



- 1 1. **KEPT IN SANITARY CONDITION;**
- 2 2. **PROPERLY VENTILATED; AND**
- 3 3. **AVAILABLE IN NUMBERS AS REQUIRED BY OSHA**
- 4 **UNDER 29 C.F.R. 1926.51; AND**

5 **(II) A CONVENIENT LAVATORY THAT IS:**

- 6 1. **SUPPLIED WITH SOAP, CLEAN WATER, AND**
- 7 **TOWELS, OR OTHER SUITABLE MEANS FOR HAND WASHING;**
- 8 2. **KEPT IN SANITARY CONDITION; AND**
- 9 3. **PROPERLY VENTILATED.**

10 **(2) THE TOILETS REQUIRED UNDER PARAGRAPH (1) OF THIS**

11 **SUBSECTION SHALL BE FLUSH TOILETS IF FLUSH TOILETS ARE PROVIDED FOR**

12 **OTHER PERSONNEL ON SITE, INCLUDING OFFICE PERSONNEL.**

13 **(B) THIS SECTION APPLIES ONLY TO CONSTRUCTION PROJECTS THAT**

14 **HAVE A TOTAL COST OF \$500,000 OR MORE.**

15 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect

16 October 1, 2009.