

# HOUSE BILL 1722

M3  
HB 7/17 – ENV

8lr3537

---

By: **Delegate Holmes**

Introduced and read first time: February 19, 2018

Assigned to: Rules and Executive Nominations

---

## A BILL ENTITLED

1 AN ACT concerning

2 **Environment – Lead Hazards – Environmental Investigation, Reporting, and**  
3 **Risk Reduction**

4 FOR the purpose of requiring the Department of the Environment, on or before a certain  
5 date, to adopt certain regulations to establish certain procedures for conducting  
6 environmental investigations to determine lead hazards for certain children and  
7 pregnant women with certain elevated blood lead levels; requiring the Department  
8 to include in a certain annual report certain results from certain environmental  
9 investigations; altering the conditions under which an owner of an affected property  
10 is required to comply with certain risk reduction standards under certain provisions  
11 of law relating to reducing lead risk in housing; providing for the construction of  
12 certain provisions of this Act; and generally relating to lead hazards.

13 BY adding to

14 Article – Environment  
15 Section 6–305  
16 Annotated Code of Maryland  
17 (2013 Replacement Volume and 2017 Supplement)

18 BY repealing and reenacting, with amendments,

19 Article – Environment  
20 Section 6–819(c)(1)  
21 Annotated Code of Maryland  
22 (2013 Replacement Volume and 2017 Supplement)

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

25 **Article – Environment**

---

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **6-305.**

2 (A) ON OR BEFORE OCTOBER 1, 2019, THE DEPARTMENT SHALL ADOPT  
3 REGULATIONS TO ESTABLISH PROCEDURES FOR CONDUCTING ENVIRONMENTAL  
4 INVESTIGATIONS TO DETERMINE LEAD HAZARDS FOR CHILDREN UNDER THE AGE OF  
5 6 AND PREGNANT WOMEN WITH ELEVATED BLOOD LEAD LEVELS GREATER THAN OR  
6 EQUAL TO 10 MICROGRAMS PER DECILITER.

7 (B) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, THE  
8 REGULATIONS ADOPTED UNDER SUBSECTION (A) OF THIS SECTION SHALL BE  
9 CONSISTENT WITH THE ENVIRONMENTAL INVESTIGATION GUIDELINES PUBLISHED  
10 IN CHAPTER 16 OF THE U.S. DEPARTMENT OF HOUSING AND URBAN  
11 DEVELOPMENT'S GUIDELINES FOR THE EVALUATION AND CONTROL OF  
12 LEAD-BASED PAINT HAZARDS IN HOUSING, AS AMENDED.

13 (2) THIS SUBSECTION MAY NOT BE CONSTRUED AS REQUIRING THE  
14 DEPARTMENT TO ALTER ANY STANDARD ESTABLISHED BY THE DEPARTMENT BY  
15 REGULATION BEFORE JANUARY 1, 2018, FOR LEAD-BASED PAINT OR A  
16 LEAD-CONTAINING SUBSTANCE.

17 (C) THE DEPARTMENT SHALL INCLUDE IN ITS ANNUAL REPORT ON  
18 STATEWIDE CHILDHOOD BLOOD LEAD TESTING THE RESULTS OF THE  
19 ENVIRONMENTAL INVESTIGATIONS CONDUCTED IN ACCORDANCE WITH THIS  
20 SECTION.

21 6-819.

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

24 (i) Within 30 days after receipt of written notice that [a]:

25 1. A person at risk who resides in the property has an  
26 elevated blood lead level documented by a test for EBL greater than or equal to 15 µg/dl  
27 before February 24, 2006; or

28 2. A. A PERSON AT RISK WHO RESIDES IN THE  
29 PROPERTY HAS AN ELEVATED BLOOD LEAD LEVEL DOCUMENTED BY A TEST FOR  
30 EBL greater than or equal to 10 µg/dl on or after February 24, 2006; [or] AND

31 B. AN ENVIRONMENTAL INVESTIGATION CONDUCTED IN  
32 ACCORDANCE WITH § 6-305 OF THIS TITLE DETERMINED THAT ONE OF THE LEAD  
33 HAZARDS FOR THE PERSON AT RISK INCLUDED A LEAD-BASED PAINT HAZARD IN  
34 THE PROPERTY; OR

1 (ii) Within 30 days after receipt of written notice from the tenant, or  
2 from any other source, of:

- 3 1. A defect; and  
4 2. The existence of a person at risk in the affected property.

5 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
6 October 1, 2018.