A BILL ENTITLED

AN ACT concerning Public Schools – Mold Assessment and Remediation

FOR the purpose of requiring the State Department of Education, in consultation with the Maryland Department of Health and the Department of General Services, to adopt regulations on or before a certain date establishing uniform standards for mold assessment and remediation in public schools, including requiring each county board of education to establish a process for reporting and assessing potential mold in a public school and remediating mold identified during a mold assessment; requiring a county board and the State Department of Education, on receipt of the results of a mold assessment, to post the results online in a certain manner; and generally relating to mold assessment and remediation in public schools.

BY adding to Article – Education Section 7–418 Annotated Code of Maryland (2018 Replacement Volume and 2021 Supplement)

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

Article – Education

7–418.

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) “MOLD” MEANS A FORM OF MULTICELLULAR FUNGI THAT LIVES:
(I) On plant or animal matter; or

(II) In an indoor environment.

(3) “Mold assessment” means:

(I) An inspection, an investigation, or a survey of a public school to provide information to the county board regarding the presence, identification, or evaluation of mold at the school;

(II) The development of a mold management plan; or

(III) The collection or analysis of a mold sample.

(4) “Mold remediation” means:

(I) Removing, cleaning, sanitizing, demolishing, or any other treatment performed to address mold; or

(II) Abatement of the underlying cause of mold.

(B) (1) On or before June 1, 2023, the Department, in consultation with the Maryland Department of Health and the Department of General Services, shall adopt regulations establishing uniform standards for mold assessment and remediation in public schools.

(2) The regulations adopted under this subsection shall:

(I) Establish standards for:

1. Identifying and evaluating the presence of mold, including visible mold inspections and testing; and

2. Mold remediation in accordance with the U.S. Environmental Protection Agency’s 2008 Mold Remediation in Schools and Commercial Buildings guideline as revised and updated; and

(II) Require each county board to:

1. Establish a formal process for reporting potential mold in a public school;
2. As soon as practicable after receiving a report of potential mold in a public school, hire a professional certified to perform mold assessments to conduct a visual inspection of the area with potential mold;

3. Remediate any mold identified in a mold assessment required under item 2 of this item; and

4. Pay the costs of the mold assessments and mold remediation required items 2 and 3 of this item.

(c) (1) On receipt of the results of a mold assessment, a county board shall:

   (I) Post the results on its website; and

   (II) Submit the results to the Department.

(2) On receipt of the results of a mold assessment from a county board under paragraph (1) of this subsection, the Department shall post the results on its website.

(3) The results posted under paragraphs (1) and (2) of this subsection shall be:

   (I) Written in a manner that is clear and easy for the public to understand; and

   (II) Posted in a conspicuous location that is easy for the public to find and access.

Section 2. And be it further enacted, That this Act shall take effect July 1, 2022.