

HOUSE BILL 1367

M3

5lr2953

By: ~~Delegate Rosenberg~~ Delegates Rosenberg, Allen, Behler, Guyton, Healey, Holmes, Lehman, Ruth, Stein, Stewart, and Terrasa

Introduced and read first time: February 7, 2025

Assigned to: Environment and Transportation

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 6, 2025

CHAPTER _____

1 AN ACT concerning

2 **Lead Testing and Inspections – Falsifying Information – Penalty**

3 FOR the purpose of establishing a certain penalty for a person who falsifies information
4 that is submitted in a certain report; and generally relating to lead testing and
5 inspections.

6 BY repealing and reenacting, without amendments,

7 Article – Environment

8 Section 6–818

9 Annotated Code of Maryland

10 (2013 Replacement Volume and 2024 Supplement)

11 BY repealing and reenacting, with amendments,

12 Article – Environment

13 Section 6–850

14 Annotated Code of Maryland

15 (2013 Replacement Volume and 2024 Supplement)

16 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

17 That the Laws of Maryland read as follows:

18 **Article – Environment**

19 6–818.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 (a) (1) Any person performing lead-contaminated dust testing or conducting
2 inspections required by this subtitle:

3 (i) Shall be accredited by the Department;

4 (ii) May not be a related party to the owner; and

5 (iii) Shall submit a verified report of the result of the
6 lead-contaminated dust testing or visual inspection to the Department, the owner, and the
7 tenant, if any, of the affected property.

8 (2) An owner may not employ or engage a related party to the owner to
9 perform lead-contaminated dust testing or conduct inspections required by this subtitle.

10 (b) A report submitted to the Department under subsection (a) of this section that
11 certifies compliance for an affected property with the risk reduction standard shall be
12 conclusive proof that the owner is in compliance with the risk reduction standard for the
13 affected property during the period for which the certification is effective, unless there is:

14 (1) Proof of actual fraud as to that affected property;

15 (2) Proof that the work performed in the affected property was not
16 performed by or under the supervision of personnel accredited under § 6-1002 of this title;
17 or

18 (3) Proof that the owner failed to respond to a complaint regarding the
19 affected property as required by § 6-819 of this subtitle.

20 6-850.

21 (a) Except as provided in § 6-849 of this subtitle, in addition to any other
22 remedies provided in this subtitle, the provisions and procedures of §§ 7-256 through
23 7-264 and 7-266 of this article shall be used and shall apply to enforce violations of this
24 subtitle, provided that the penalty imposed under § 7-266(b)(2)(i) of this article may not
25 exceed \$500 per day for any violation of this subtitle.

26 (b) If an accredited supervisor falsely verifies that work was performed on an
27 affected property pursuant to § 6-819(g) of this subtitle, the owner of the affected property
28 who employs the supervisor and who has actual knowledge of the false verification shall be
29 subject to a civil penalty not to exceed \$30,000.

30 (C) ~~(1)~~ A PERSON WHO FALSIFIES INFORMATION THAT IS SUBMITTED IN
31 A REPORT UNDER § 6-818(A)(1)(III) OF THIS SUBTITLE IS LIABLE FOR A CIVIL
32 PENALTY NOT EXCEEDING \$50,000, TO BE COLLECTED IN A CIVIL ACTION.

1 ~~(2) EACH DAY A VIOLATION OCCURS IS A SEPARATE VIOLATION~~
2 ~~UNDER THIS SUBSECTION.~~

3 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
4 October 1, 2025.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.