

Chapter 507

(House Bill 1367)

AN ACT concerning

Lead Testing and Inspections – Falsifying Information – Penalty

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

BY repealing and reenacting, without amendments,
Article – Environment
Section 6–818
Annotated Code of Maryland
(2013 Replacement Volume and 2024 Supplement)

BY repealing and reenacting, with amendments,
Article – Environment
Section 6–850
Annotated Code of Maryland
(2013 Replacement Volume and 2024 Supplement)

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

Article – Environment

6–818.

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

(i) Shall be accredited by the Department;

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

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

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

(b) A report submitted to the Department under subsection (a) of this section that certifies compliance for an affected property with the risk reduction standard shall be

conclusive proof that the owner is in compliance with the risk reduction standard for the affected property during the period for which the certification is effective, unless there is:

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

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

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

6–850.

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

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

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

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

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

Approved by the Governor, May 13, 2025.