

Chapter 286

(Senate Bill 940)

AN ACT concerning

Environment – ~~Mobile Home Parks~~ – Water Quality Testing – Secondary Maximum Contaminant Levels Action Plan

FOR the purpose of requiring the Department of the Environment ~~to develop a certain mobile home park water quality testing program on or before a certain date; requiring the Department to perform water quality testing at a certain percentage of the total number of mobile home parks by certain dates; requiring the Department to provide certain notice of certain water quality testing results in a certain manner; requiring a mobile home park owner to take certain actions under certain circumstances; requiring the Department to develop a certain statewide action plan to address water quality at mobile home parks~~ for secondary maximum contaminant level enforcement; and generally relating to ~~water quality testing and mobile home parks~~ secondary maximum contaminant levels.

~~BY adding to~~

~~Article – Environment~~

~~Section 9-4B-01 through 9-4B-06 to be under the new subtitle “Subtitle 4B. Mobile Home Park Water Quality Testing Program”~~

~~Annotated Code of Maryland~~

~~(2014 Replacement Volume and 2025 Supplement)~~

~~BY repealing and reenacting, without amendments,~~

~~Article – Real Property~~

~~Section 8A-101(a), (c), (d), (f), and (j)~~

~~Annotated Code of Maryland~~

~~(2023 Replacement Volume and 2025 Supplement)~~

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

~~Article – Environment~~

~~SUBTITLE 4B. MOBILE HOME PARK WATER QUALITY TESTING PROGRAM.~~

~~9-4B-01.~~

~~(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.~~

~~(B) "ACTION PLAN" MEANS THE STATEWIDE ACTION PLAN DEVELOPED BY THE DEPARTMENT IN ACCORDANCE WITH § 9-4B-05 OF THIS SUBTITLE.~~

~~(C) (1) "FINISHED WATER" MEANS WATER THAT IS SUPPLIED TO A DISTRIBUTION SYSTEM OF A MOBILE HOME PARK AND INTENDED FOR DISTRIBUTION AND HUMAN CONSUMPTION.~~

~~(2) "FINISHED WATER" INCLUDES DRINKING WATER PRESENT IN THE SYSTEM.~~

~~(D) "MOBILE HOME" HAS THE MEANING STATED IN § 8A-101 OF THE REAL PROPERTY ARTICLE.~~

~~(E) "PARK" HAS THE MEANING STATED IN § 8A-101 OF THE REAL PROPERTY ARTICLE.~~

~~(F) "PARK OWNER" HAS THE MEANING STATED IN § 8A-101 OF THE REAL PROPERTY ARTICLE.~~

~~(G) "PROGRAM" MEANS THE MOBILE HOME PARK WATER QUALITY TESTING PROGRAM ESTABLISHED UNDER THIS SUBTITLE.~~

~~(H) "REMEDIATION" MEANS THE RESOLUTION OF ALL WATER QUALITY ISSUES OF A FINISHED WATER SOURCE THAT RESULTS IN THE SAFETY AND POTABILITY OF THE FINISHED WATER.~~

~~(I) "RESIDENT" HAS THE MEANING STATED IN § 8A-101 OF THE REAL PROPERTY ARTICLE.~~

~~(J) "WATER QUALITY ISSUE" MEANS A SITUATION IN WHICH:~~

~~(1) THE FINISHED WATER FAILS TO COMPLY WITH A MAXIMUM CONTAMINANT LEVEL STANDARD SET BY THE U.S. ENVIRONMENTAL PROTECTION AGENCY OR THE DEPARTMENT FOR DRINKING WATER QUALITY; OR~~

~~(2) THE DEPARTMENT HAS MADE A DETERMINATION THAT THE FINISHED WATER OR WATER SUPPLY IS OF SUFFICIENTLY LOW QUALITY TO PRESENT A RISK TO THE HEALTH, WELFARE, OR SAFETY OF INDIVIDUALS WHO USE THE WATER.~~

~~(K) (1) "WATER SUPPLY" MEANS THE SUPPLY OF A SOURCE OF FINISHED WATER TO RESIDENTS.~~

~~(2) "WATER SUPPLY" INCLUDES:~~

~~(I) PRIMARY SOURCE WATER;~~

~~(II) RIVERS;~~

~~(III) WATER SYSTEMS;~~

~~(IV) WATER PURCHASED FROM ANOTHER SYSTEM; AND~~

~~(V) WELLS.~~

~~9-4B-02.~~

~~(A) ON OR BEFORE JANUARY 1, 2027, AND IN ACCORDANCE WITH THIS SUBTITLE, THE DEPARTMENT SHALL DEVELOP AND BEGIN THE IMPLEMENTATION OF A MOBILE HOME PARK WATER QUALITY TESTING PROGRAM.~~

~~(B) IN DEVELOPING THE PROGRAM, THE DEPARTMENT SHALL:~~

~~(1) ENSURE THAT MATERIALS, INFORMATION, AND COMMUNICATIONS SHARED WITH RESIDENTS ARE AVAILABLE IN ENGLISH, SPANISH, AND ANY OTHER LANGUAGE REQUESTED BY RESIDENTS;~~

~~(2) INTERVIEW RESIDENTS TO UNDERSTAND ANY CONCERNS WITH WATER QUALITY, INCLUDING ABNORMAL COLOR, ODOR, OR TASTE, DAMAGE TO APPLIANCES, AND HEALTH OR ECONOMIC ISSUES; AND~~

~~(3) DETERMINE AND APPROVE A SPECIFIC SAMPLING PLAN FOR EACH PARK THAT REQUIRES WATER QUALITY TESTING NECESSARY TO ASSESS THE QUALITY AND SAFETY OF FINISHED WATER AND EVALUATE CONCERNS OF THE RESIDENTS, INCLUDING PERFORMING TESTING:~~

~~(I) TO DETERMINE COMPLIANCE WITH:~~

~~1. PRIMARY AND SECONDARY DRINKING WATER STANDARDS UNDER THIS TITLE; AND~~

~~2. MAXIMUM OR SECONDARY MAXIMUM CONTAMINANT LEVELS ESTABLISHED BY THE U.S. ENVIRONMENTAL PROTECTION AGENCY;~~

~~(II) TO EVALUATE WATER HARDNESS, IRON, CALCIUM, AND TOTAL DISSOLVED SOLIDS; AND~~

~~(III) FOR CHEMICALS WITH HEALTH ADVISORY LEVELS IF THE DEPARTMENT BELIEVES THE CHEMICALS MAY BE PRESENT IN FINISHED WATER.~~

~~9-4B-03.~~

~~(A) SUBJECT TO SUBSECTION (B) OF THIS SECTION, THE DEPARTMENT SHALL IMPLEMENT WATER QUALITY TESTING UNDER THE PROGRAM:~~

~~(1) BY JANUARY 1, 2028, AT 25% OF THE TOTAL NUMBER OF PARKS;~~

~~(2) BY JANUARY 1, 2029, AT 50% OF THE TOTAL NUMBER OF PARKS;~~

~~(3) BY JANUARY 1, 2030, AT 75% OF THE TOTAL NUMBER OF PARKS;~~

~~AND~~

~~(4) BY JANUARY 1, 2031, AT 100% OF THE TOTAL NUMBER OF PARKS.~~

~~(B) THE DEPARTMENT SHALL PRIORITIZE THE WATER QUALITY TESTING REQUIRED UNDER SUBSECTION (A) OF THIS SECTION AS FOLLOWS:~~

~~(1) PARKS LOCATED IN A CENSUS BLOCK WHERE AT LEAST 40% OF THE RESIDENTS IDENTIFY AS A RACIAL OR ETHNIC MINORITY;~~

~~(2) PARKS IN A GEOGRAPHIC AREA KNOWN TO PRODUCE CONTAMINANTS IN FINISHED WATER DUE TO GEOLOGY;~~

~~(3) PARKS IN WHICH THE RESIDENTS HAVE REQUESTED TESTING;~~

~~(4) PARKS IN WHICH THE RESIDENTS HAVE SUBMITTED COMPLAINTS REGARDING WATER QUALITY TO:~~

~~(i) THE DEPARTMENT;~~

~~(ii) THE STATE OR A LOCAL HOUSING AGENCY; OR~~

~~(iii) A LOCAL HEALTH DEPARTMENT;~~

~~(5) PARKS SUPPLIED WITH FINISHED WATER FROM A PRIVATE OR COMMUNITY WATER SUPPLY; AND~~

~~(6) ANY OTHER PARK DETERMINED BY THE DEPARTMENT.~~

~~(c) IF THE NUMBER OF REQUESTS FOR WATER QUALITY TESTING UNDER THE PROGRAM EXCEEDS THE CAPACITY OF THE DEPARTMENT TO PERFORM THE TESTING, THE DEPARTMENT SHALL CREATE A WAITING LIST.~~

~~(d) THE DEPARTMENT SHALL:~~

~~(1) REQUIRE ANY FIELD SAMPLING AND ANALYSIS PERFORMED UNDER THIS SUBTITLE TO BE PERFORMED BY A QUALIFIED PROFESSIONAL, AS DETERMINED BY THE DEPARTMENT;~~

~~(2) CONSIDER ALTERNATE TESTING METHODS TO AVOID TESTING WITHIN A MOBILE HOME WITHOUT THE CONSENT OF THE RESIDENT; AND~~

~~(3) ON A FINDING BY THE DEPARTMENT OF A WATER QUALITY ISSUE:~~

~~(i) PERFORM OR REQUIRE THE PERFORMANCE OF ADDITIONAL TESTING, INCLUDING CONTINUED OR MULTIPOINT TESTING OF FINISHED WATER OR WATER SUPPLY, AND TESTING OF FLOW RATES AND WATER PRESSURE;~~

~~(ii) PROVIDE NOTICE OF THE WATER QUALITY ISSUE:~~

~~1. IN ACCORDANCE WITH § 9-4B-04 OF THIS SUBTITLE;~~

~~AND~~

~~2. TO THE LOCAL HOUSING AND HEALTH DEPARTMENTS;~~

~~(iii) REVIEW AND APPROVE ANY REMEDIATION PLAN PREPARED UNDER § 9-4B-04(B) OF THIS SUBTITLE, OR DENY THE PLAN WITH WRITTEN EXPLANATIONS AND CORRECTIVE RECOMMENDATIONS TO THE PLAN; AND~~

~~(iv) NOTIFY THE RESIDENTS AND THE LOCAL HEALTH AND HOUSING DEPARTMENTS ON COMPLETION OF THE REMEDIATION.~~

~~(e) THE DEPARTMENT MAY:~~

~~(1) DECLINE A REQUEST TO TEST FINISHED WATER FOR A SPECIFIC CONTAMINANT IF:~~

~~(I) THE DEPARTMENT HAS DATA SHOWING THAT THE CONTAMINANT IS NEITHER NEAR NOR IN EXCESS OF THE APPLICABLE STANDARD; OR~~

~~(II) THE TESTING IS ALREADY REQUIRED UNDER THE PARK'S REGISTRATION AS A PUBLIC WATER SYSTEM; AND~~

~~(2) CONTRACT WITH A THIRD PARTY TO PERFORM THE TESTING REQUIRED UNDER THIS SUBTITLE.~~

~~(F) ANY TESTING PERFORMED UNDER THE PROGRAM IS IN ADDITION TO ANY OTHER TESTING THE DEPARTMENT PERFORMS FOR PARKS.~~

~~9-4B-04.~~

~~(A) (1) WITHIN 10 DAYS AFTER RECEIVING THE RESULTS OF A WATER QUALITY TEST PERFORMED UNDER THE PROGRAM, THE DEPARTMENT SHALL NOTIFY, IN WRITING:~~

~~(I) THE PARK OWNER;~~

~~(II) THE LOCAL HEALTH DEPARTMENT IN THE COUNTY WHERE THE PARK IS LOCATED;~~

~~(III) THE MUNICIPALITY IN WHICH THE PARK IS LOCATED, IF ANY;~~

~~(IV) THE RESIDENT REQUESTING THE TESTING, IF APPLICABLE; AND~~

~~(V) THE WATER SUPPLIER.~~

~~(2) IF THE TEST RESULTS IDENTIFY A WATER QUALITY ISSUE, THE DEPARTMENT SHALL INCLUDE IN THE NOTICE REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION:~~

~~(I) A SUMMARY OF THE TEST RESULTS AND INFORMATION ON THE AVAILABILITY OF COMPLETE RESULTS;~~

~~(II) INFORMATION ON ANY VIOLATION OF WATER QUALITY STANDARDS;~~

~~(III) GUIDANCE ON ACTIONS RESIDENTS SHOULD TAKE IN LIGHT OF A VIOLATION; AND~~

~~(IV) GUIDANCE ON ANY REMEDIATION PROCESSES.~~

~~(B) ON RECEIVING A NOTICE UNDER SUBSECTION (A)(2) OF THIS SECTION, THE PARK OWNER SHALL:~~

~~(1) (I) NOTIFY THE RESIDENTS WITHIN 5 DAYS AFTER RECEIVING THE NOTICE;~~

~~(II) PROVIDE THE INFORMATION AND GUIDANCE PROVIDED BY THE DEPARTMENT TO THE RESIDENTS;~~

~~(III) MAKE THE NOTICE AVAILABLE IN ENGLISH, SPANISH, AND ANY OTHER LANGUAGE REQUESTED BY THE RESIDENTS;~~

~~(IV) MAKE AVAILABLE AN INTERPRETER, IF NECESSARY, FOR THE RESIDENTS IN ANY LANGUAGE OTHER THAN ENGLISH;~~

~~(V) CERTIFY TO THE DEPARTMENT COMPLIANCE WITH ITEMS (I) THROUGH (IV) OF THIS ITEM;~~

~~(VI) POST THE TEST RESULTS IN ENGLISH, SPANISH, AND ANY OTHER REQUESTED LANGUAGE IN A CONSPICUOUS PLACE IN THE COMMON AREAS OF THE PARK;~~

~~(VII) KEEP THE NOTICE POSTED FOR AT LEAST 120 DAYS; AND~~

~~(VIII) USE PROFESSIONAL TRANSLATION SERVICES, IF NECESSARY;~~

~~(2) COMPLY WITH ANY ORDER ISSUED BY THE DEPARTMENT; AND~~

~~(3) (I) WITHIN 120 DAYS AFTER RECEIVING A NOTICE UNDER SUBSECTION (A)(2) OF THIS SECTION AND IN A MANNER REQUIRED BY THE DEPARTMENT, PREPARE AND SUBMIT A REMEDIATION PLAN TO THE DEPARTMENT TO ADDRESS THE WATER QUALITY ISSUE, INCLUDING DEADLINES AND STATUS UPDATES;~~

~~(II) COMPLETE REMEDIATION BASED ON A SCHEDULE SET BY THE DEPARTMENT; AND~~

~~(III) CONSULT WITH THE DEPARTMENT AND PROVIDE REASONABLE ACCESS TO DRINKING WATER OR APPROVED FILTERS, IF NECESSARY, TO ADDRESS ACUTE HEALTH RISKS.~~

~~(C) A PARK OWNER MAY NOT IMPOSE THE COST OF COMPLYING WITH THIS SUBTITLE ON THE RESIDENTS.~~

~~(D) (1) THE DEPARTMENT MAY ISSUE AN ORDER REQUIRING THE PARK OWNER TO COMPLY WITH SUBSECTION (B) OF THIS SECTION.~~

~~(2) WITHIN 20 DAYS AFTER RECEIVING AN ORDER ISSUED UNDER PARAGRAPH (1) OF THIS SUBSECTION, A PARK OWNER MAY APPEAL THE ORDER BY REQUESTING A HEARING WITH THE DEPARTMENT.~~

~~9-4B-05.~~

~~(A) ON OR BEFORE JANUARY 1, 2028, THE DEPARTMENT SHALL DEVELOP A STATEWIDE ACTION PLAN TO ADDRESS AND IMPROVE WATER QUALITY IN MOBILE HOME PARKS.~~

~~(B) (1) IN DEVELOPING THE ACTION PLAN, THE DEPARTMENT SHALL CONDUCT OUTREACH TO PARK RESIDENTS TO:~~

~~(I) GATHER INFORMATION;~~

~~(II) RECEIVE INPUT ABOUT WATER QUALITY CONCERNS;~~

~~(III) COORDINATE WITH RESIDENTS TO IDENTIFY OPPORTUNITIES FOR IMPROVEMENT;~~

~~(IV) ENSURE PUBLIC COMMUNICATIONS ARE AVAILABLE IN ENGLISH, SPANISH, AND ANY OTHER NECESSARY LANGUAGE;~~

~~(V) CONSULT OR COORDINATE WITH PARK OWNERS, RESIDENTS, NONPROFIT ORGANIZATIONS, HIGHER EDUCATION INSTITUTIONS, WATER PROVIDERS, AND COUNTY HEALTH AND HOUSING DEPARTMENTS;~~

~~(VI) CONSIDER THE RESULTS OF ANY WATER QUALITY TESTING TO DATE;~~

~~(VII) ASSESS INFRASTRUCTURE AT SAMPLE PARKS IN CONSIDERATION OF THE PRIORITY LISTED UNDER § 9-4B-03(B) OF THIS SUBTITLE; AND~~

~~(VIII) COLLECT RELEVANT DATA ABOUT FINISHED WATER.~~

~~(2) THE ACTION PLAN SHALL:~~

~~(I) INCLUDE A STATUS REPORT OF WATER QUALITY TESTING PERFORMED TO DATE;~~

~~(II) DEVELOP A STRATEGY FOR TESTING PARKS NOT YET TESTED;~~

~~(III) IDENTIFY OPPORTUNITIES TO IMPROVE WATER QUALITY, INCLUDING COLOR, TASTE, AND ODOR;~~

~~(IV) INCLUDE TIMELINES FOR IMPLEMENTATION; AND~~

~~(V) INCLUDE A WRITTEN DESCRIPTION OF HOW RESIDENT FEEDBACK WAS INCORPORATED INTO THE PLAN.~~

~~(C) THE DEPARTMENT SHALL COORDINATE WITH HOUSING, HEALTH, OR RELATED AGENCIES OF LOCAL JURISDICTIONS TO IDENTIFY POTENTIAL FUNDING, INCLUDING GRANT MONEY, TO SUPPORT REMEDIATION, TO IMPROVE WATER QUALITY, AND TO ENFORCE THE REQUIREMENTS OF THIS SUBTITLE.~~

~~9-4B-06.~~

~~(A) TO ENFORCE THIS SUBTITLE, THE DEPARTMENT SHALL ISSUE:~~

~~(1) NOTICES OF VIOLATION;~~

~~(2) PENALTIES; OR~~

~~(3) ENFORCEMENT ORDERS.~~

~~(B) (1) IF A PARK OWNER FAILS TO COMPLY WITH THE REQUIREMENTS OF THIS SUBTITLE, THE DEPARTMENT MAY IMPOSE AN ADMINISTRATIVE PENALTY OF UP TO \$10,000 FOR EACH VIOLATION AND \$5,000 FOR EACH SUCCESSIVE MONTH OF CONTINUED VIOLATIONS.~~

~~(2) IT IS A VIOLATION OF THIS SUBTITLE TO EVICT OR THREATEN TO EVICT A RESIDENT BASED ON AN ACTION TAKEN UNDER THIS SUBTITLE.~~

~~(3) NOTHING IN THIS SECTION SHALL PRECLUDE A RESIDENT FROM TAKING LEGAL ACTION AGAINST A PARK OWNER.~~

~~Article — Real Property~~

~~8A-101.~~

~~(a) In this title the following words have the meanings indicated:~~

~~(e) (1) “Mobile home” means a structure:~~

~~(i) Transportable in one or more sections;~~

~~(ii) 8 or more body feet in width and 30 or more body feet in length;~~

~~(iii) Built on a permanent chassis; and~~

~~(iv) Designed to be used as a dwelling, with or without a permanent foundation, when connected to the required utilities.~~

~~(2) “Mobile home” includes the plumbing, heating, air conditioning, and electrical systems contained in the structure.~~

~~(d) “Park” means any property leased or held out for lease to two or more residents or prospective residents.~~

~~(f) “Park owner” means any person who has interest in the park and includes any person acting as the agent of a park owner as to the managerial or operations acts taken as the agent of the owner.~~

~~(j) (1) “Resident” means a mobile home owner who leases or rents a site for residential use and resides in a mobile home park.~~

~~(2) “Resident” includes a person who maintains a permanent residence with the mobile home owner, and who obtains title to the mobile home after the death of the owner under the terms of a will or by operation of law.~~

(a) The Department of the Environment shall develop an action plan for the enforcement of standards for secondary maximum contaminant levels to address water discoloring, taste, and odor at community water systems and nontransient, noncommunity water systems.

(b) The action plan required under subsection (a) of this section shall include:

(1) a listing of the presence and concentrations of secondary contaminants in community water systems and nontransient, noncommunity water systems;

(2) a draft approach for the enforcement of standards for secondary maximum contaminant levels;

(3) a summary of the regulatory enforcement actions for secondary maximum contaminant levels in place in Alabama, Arkansas, California, Delaware, Florida, Georgia, Hawaii, and Maine;

(4) a decision–matrix including the feasibility, benefits, and challenges of enforcing secondary maximum contaminant levels in nontransient, noncommunity water systems;

(5) an evaluation of potential costs to be borne by community water systems and nontransient, noncommunity water systems in order to comply with secondary maximum contaminant level enforcement; and

(6) a projected time frame for implementing the enforcement of secondary maximum contaminant levels in:

(i) community water systems; and

(ii) nontransient, noncommunity water systems.

(c) The Department shall consult with stakeholders, including:

(1) owners and operators of and residents serviced by community water systems and nontransient, noncommunity water systems;

(2) community and nonprofit organizations that represent affected residents;

(3) the Maryland Rural Water Association; and

(4) any other person the Department determines relevant.

(d) On or before December 1, 2026, the Department shall report its findings and recommendations to the General Assembly, in accordance with § 2–1257 of the State Government Article.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect ~~October~~ July 1, 2026. It shall remain effective for a period of 1 year and 1 month and, at the end of July 31, 2027, this Act, with no further action required by the General Assembly, shall be abrogated and of no further force and effect.

Approved by the Governor, April 28, 2026.