

# SENATE BILL 264

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CF HB 204

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By: **Senator Brooks**

Introduced and read first time: January 19, 2026

Assigned to: Education, Energy, and the Environment

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## A BILL ENTITLED

1 AN ACT concerning

2 **Drinking Water – Regulation – Control and Prevention of Waterborne Disease**

3 FOR the purpose of establishing minimum detectable disinfectant residual level  
4 requirements, disinfectant residual testing requirements, and related requirements  
5 for the control of Legionella bacteria and other pathogens in the public water supply;  
6 requiring suppliers of water to provide certain notices and records regarding  
7 disruptions in the water distribution system; establishing requirements for the  
8 investigation of reported cases of Legionnaires' disease; requiring the owner or  
9 operators of certain buildings to implement certain water management programs on  
10 or before a certain date; requiring the Department of the Environment and the  
11 Maryland Department of Health to make certain information required under this  
12 Act available on their websites; requiring the Maryland Department of Health to  
13 develop a public awareness campaign and targeted consumer education program  
14 related to the prevention of Legionnaires' disease; requiring any penalties collected  
15 for a violation of this Act to be distributed to a special fund in the Maryland  
16 Department of Health to be used for certain purposes; and generally relating to the  
17 control and prevention of waterborne diseases including Legionnaires' disease.

18 BY repealing and reenacting, without amendments,  
19 Article – Environment  
20 Section 9–401(a), (l), and (m)  
21 Annotated Code of Maryland  
22 (2014 Replacement Volume and 2025 Supplement)

23 BY repealing and reenacting, with amendments,  
24 Article – Environment  
25 Section 9–412 and 9–413  
26 Annotated Code of Maryland  
27 (2014 Replacement Volume and 2025 Supplement)

28 BY adding to

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



Article – Environment

Section 9–429 through 9–436 to be under the new part “Part III. Control and Prevention of Waterborne Disease”

Annotated Code of Maryland

(2014 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**

9–401.

(a) In this subtitle the following words have the meanings indicated.

(l) (1) “Public water system” means a system that:

(i) Provides to the public water for human consumption through pipes or other constructed conveyances; and

(ii) 1. Has at least 15 service connections; or

2. Regularly serves at least 25 individuals.

(2) “Public water system” includes:

(i) Any collection, treatment, storage, or distribution facility that is under the control of the operator of the system and is used primarily in connection with the system; and

(ii) Any collection or pretreatment storage facility that is not under the control of the operator of the system and is used primarily in connection with the system.

(m) “Supplier of water” means any person who owns or operates a public water system.

9–412.

(a) A supplier of water may not:

(1) Fail to comply with § 9–410 of this subtitle;

(2) Disseminate any false or misleading information in or about any notice required under § 9–410 of this subtitle or about any remedial action being undertaken to achieve compliance with State primary drinking water regulations;

(3) Knowingly make any false statement, representation, or certification in any application, record, report, plan, or other document filed or permit adopted or issued under this subtitle;

(4) Fail to comply with the rules and regulations adopted under § 9–407 of this subtitle; [or]

(5) Fail to comply with any conditions for variances or exemptions authorized under § 9–409 of this subtitle; **OR**

**(6) FAIL TO COMPLY WITH THE REQUIREMENTS OF PART III OF THIS SUBTITLE.**

(b) A person may not:

(1) Fail to comply with any order issued by the Secretary under this subtitle; or

(2) Falsify or knowingly render inaccurate any monitoring device or method required to be maintained under this subtitle or any rule, regulation, order, or permit adopted or issued under this subtitle.

9–413.

(a) A person who willfully violates § 9–412(a)(4) [or], (5), **OR (6)** of this subtitle is subject to a civil penalty of up to \$5,000 for each day on which the violation exists.

(b) A person who violates § 9–412(a)(1), (2), or (3) of this subtitle is guilty of a misdemeanor and on conviction is subject to a fine not exceeding \$5,000 for each day on which the violation occurs or failure to comply continues.

(c) In an action brought in the appropriate court to enforce the order, a person who willfully violates or fails or refuses to comply with any order issued by the Secretary under this subtitle may be fined not more than \$5,000 for each day on which the violation occurs or failure to comply continues.

(d) (1) In addition to any other remedies available at law and after an opportunity for a hearing, which may be waived in writing by the person accused of a violation, the Department may impose a penalty for violation of any provision of this subtitle or any order, regulation, or plan adopted or issued under this subtitle.

(2) The penalty imposed on a supplier of water serving a population of more than 10,000 under this subsection shall be:

(i) Up to \$1,000 per day for each violation, but not exceeding \$25,000 total for each violation; and

(ii) Assessed with consideration given to:

1. The willfulness of the violation, the extent to which the existence of the violation was known to but uncorrected by the violator, and the extent to which the violator exercised reasonable care;

2. Any actual harm to the environment or to human health, including injury to or impairment of the use of the waters of this State or the natural resources of the State;

3. The cost of cleanup and the cost of restoration of natural resources;

4. The nature and degree of injury to or interference with general welfare, health, and property;

5. The extent to which the location of the violation, including location near waters of this State or areas of human population, creates the potential for harm to the environment or to human health or safety;

6. The available technology and economic reasonableness of controlling, reducing, or eliminating the violation;

7. The degree of hazard posed by the particular pollutant or pollutants involved;

8. The extent to which the current violation is part of a recurrent pattern of the same or similar type of violation committed by the violator; and

9. Whether or not penalties were assessed or will be assessed under other provisions of this subtitle.

(3) The penalty imposed on a supplier of water serving a population of 3,301 to 10,000 under this subsection shall be:

(i) Up to \$500 per day for each violation, but not exceeding \$12,500 total for each violation; and

(ii) Assessed with consideration given to the factors set forth in paragraph (2)(ii) of this subsection.

(4) The penalty imposed on a supplier of water serving a population of 501 to 3,300 under this subsection shall be:

(i) Up to \$250 per day for each violation, but not exceeding \$6,250 total for each violation; and

(ii) Assessed with consideration given to the factors set forth in paragraph (2)(ii) of this subsection.

(5) The penalty imposed on a supplier of water serving a population of 500 or less under this subsection shall be:

(i) Up to \$100 per day for each violation, but not exceeding \$5,000 total for each violation; and

(ii) Assessed with consideration given to the factors set forth in paragraph (2)(ii) of this subsection.

(6) Each day a violation occurs is a separate violation under this subsection.

(7) Any penalty imposed under this subsection is payable to the State and collectible in any manner provided at law for the collection of penalties.

(8) (I) [All] EXCEPT AS PROVIDED UNDER SUBPARAGRAPH (II) OF THIS PARAGRAPH, ALL penalties collected under this subtitle shall be paid into the Maryland Clean Water Fund created under § 9-320 of this title.

(II) ANY PENALTIES COLLECTED FOR A VIOLATION OF § 9-412(A)(6) OF THIS SUBTITLE SHALL BE DISTRIBUTED TO A SPECIAL FUND IN THE MARYLAND DEPARTMENT OF HEALTH, TO BE USED ONLY FOR THE PURPOSES SPECIFIED IN § 9-435 OF THIS SUBTITLE.

**9-427. RESERVED.**

**9-428. RESERVED.**

### **PART III. CONTROL AND PREVENTION OF WATERBORNE DISEASE.**

**9-429.**

(A) IN THIS PART III OF THIS SUBTITLE, “DISRUPTION IN THE WATER DISTRIBUTION SYSTEM” MEANS ANY DISRUPTION TO NORMAL WATER TRANSMISSION WITHIN A PUBLIC WATER SYSTEM.

(B) “DISRUPTION IN THE WATER DISTRIBUTION SYSTEM” INCLUDES:

(1) A CHANGE IN THE WATER TREATMENT PROCESS, INCLUDING TEMPORARY CHANGES FROM THE USE OF CHLORINE TO THE USE OF CHLORAMINE OR VICE VERSA;

(2) ANY PLANNED OR UNPLANNED EVENT THAT REDUCES WATER DELIVERY PRESSURE BELOW 20 POUNDS PER SQUARE INCH;

(3) A LEAD SERVICE LINE REPLACEMENT;

(4) A NEW CONSTRUCTION TIE-IN;

(5) A SOURCE WATER CHANGE;

(6) WATER TREATMENT PLANT MAINTENANCE OR CHANGES;

(7) CHANGES IN DIRECTIONAL WATER FLOW;

(8) FLOODING;

(9) THE REPLACEMENT OF VALVES, HYDRANTS, OR METERS;

(10) PUMPING FAILURES;

(11) PIPELINE OR WATER MAIN BREAKS;

(12) SYSTEM REPAIRS; OR

(13) EMERGENCY CONDITIONS.

**9-430.**

(A) NOTWITHSTANDING § 9-407(B) OF THIS SUBTITLE, ON OR BEFORE JANUARY 1, 2026, EACH SUPPLIER OF WATER SHALL:

(1) MAINTAIN IN ALL ACTIVE PARTS OF THE PUBLIC WATER SYSTEM A DETECTABLE DISINFECTANT RESIDUAL LEVEL OF AT LEAST:

(I) 0.5 MILLIGRAMS OF FREE CHLORINE PER LITER; OR

(II) 1.0 MILLIGRAMS OF MONOCHLORAMINE PER LITER; AND

(2) CONDUCT DISINFECTANT RESIDUAL TESTING AT FREQUENT AND REGULAR INTERVALS TO DETERMINE THE AMOUNT AND TYPE OF DETECTABLE DISINFECTANT RESIDUAL EXISTING AT DIFFERENT POINTS IN THE PUBLIC WATER SYSTEM.

1           **(B) (1) ON OR BEFORE OCTOBER 1, 2027, THE DEPARTMENT, IN**  
2 **CONSULTATION WITH THE MARYLAND DEPARTMENT OF HEALTH, SHALL ADOPT**  
3 **REGULATIONS TO:**

4                       **(I) REQUIRE NITRIFICATION PLANS FOR PUBLIC WATER**  
5 **SYSTEMS THAT UTILIZE MONOCHLORAMINE; AND**

6                       **(II) ESTABLISH REQUIREMENTS FOR THE MONITORING OF A**  
7 **PUBLIC WATER SYSTEM DURING CONSTRUCTION ACTIVITIES THAT MAY IMPACT THE**  
8 **PUBLIC WATER SYSTEM.**

9           **(2) IN ADDITION TO THE MEASURES DESCRIBED IN PARAGRAPH (1)**  
10 **OF THIS SUBSECTION, THE DEPARTMENT, IN CONSULTATION WITH THE MARYLAND**  
11 **DEPARTMENT OF HEALTH, MAY ADOPT REGULATIONS TO:**

12                      **(I) INCREASE MINIMUM DETECTABLE DISINFECTANT**  
13 **RESIDUAL LEVEL REQUIREMENTS FOR PUBLIC WATER SYSTEMS; OR**

14                      **(II) ESTABLISH ADDITIONAL DISINFECTANT OR TESTING**  
15 **REQUIREMENTS FOR PUBLIC WATER SYSTEMS TO MINIMIZE THE GROWTH AND**  
16 **TRANSMISSION OF LEGIONELLA BACTERIA.**

17           **(3) THE DEPARTMENT MAY NOT REDUCE THE MINIMUM DETECTABLE**  
18 **DISINFECTANT RESIDUAL LEVEL REQUIREMENTS ESTABLISHED UNDER**  
19 **SUBSECTION (A) OF THIS SECTION.**

20           **(C) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, IF A SUPPLIER**  
21 **OF WATER FAILS TO MEET THE MINIMUM DETECTABLE DISINFECTANT RESIDUAL**  
22 **REQUIREMENTS ESTABLISHED UNDER THIS SECTION, THE DEPARTMENT SHALL**  
23 **CONDUCT AN INVESTIGATION OF THE VIOLATION.**

24                      **(2) THE DEPARTMENT MAY AUTHORIZE A THIRD-PARTY ENTITY TO**  
25 **CONDUCT AN INVESTIGATION REQUIRED UNDER THIS SUBSECTION.**

26                      **(3) THE DEPARTMENT SHALL DEVELOP PROCEDURES AND**  
27 **GUIDELINES REGARDING THE INVESTIGATION OF SUPPLIERS OF WATER UNDER**  
28 **THIS SUBSECTION, WHICH SHALL INCLUDE:**

29                      **(I) A DEFINITION OF WHAT CONSTITUTES A REPEATED**  
30 **FAILURE TO MEET MINIMUM DETECTABLE DISINFECTANT RESIDUAL**  
31 **REQUIREMENTS;**

**(II) REQUIREMENTS FOR REPORTING VIOLATIONS OF MINIMUM  
DETECTABLE DISINFECTANT RESIDUAL REQUIREMENTS;**

**(III) GUIDANCE ON WHEN TO INITIATE INITIAL AND  
SUBSEQUENT INVESTIGATIONS OF VIOLATIONS OF MINIMUM DETECTABLE  
DISINFECTANT RESIDUAL REQUIREMENTS;**

**(IV) THE DEVELOPMENT OF A NOTICE TO INFORM THE PERSONS  
SERVED BY A SUPPLIER OF WATER IF THE SUPPLIER OF WATER FAILS TO MAINTAIN  
THE MINIMUM DETECTABLE DISINFECTANT RESIDUAL LEVELS REQUIRED UNDER  
THIS SECTION; AND**

**(V) IF APPLICABLE, THE CRITERIA USED BY THE DEPARTMENT  
TO SELECT THIRD-PARTY ENTITIES TO CONDUCT INVESTIGATIONS UNDER THIS  
SUBSECTION.**

**9-431.**

**(A) (1) A SUPPLIER OF WATER SHALL PROVIDE TIMELY WRITTEN NOTICE  
OF ANY DISRUPTION IN THE WATER DISTRIBUTION SYSTEM THAT COULD RESULT IN  
INCREASED LEVELS OF LEGIONELLA BACTERIA TO ALL RESIDENTIAL,  
COMMERCIAL, AND INSTITUTIONAL CUSTOMERS SERVED BY THE PUBLIC WATER  
SYSTEM AND LOCATED IN THE AREA AFFECTED BY THE DISRUPTION.**

**(2) THE NOTICE SHALL BE IN THE FORM AND MANNER PRESCRIBED  
BY REGULATIONS ADOPTED UNDER SUBSECTION (C) OF THIS SECTION.**

**(3) THE NOTICE SHALL, AT A MINIMUM, INCLUDE:**

**(I) NOTIFICATION THAT PLANNED CONSTRUCTION,  
MAINTENANCE, REPAIR, OR REPLACEMENT OF A PART OF THE WATER DISTRIBUTION  
SYSTEM MAY AFFECT AND TEMPORARILY INCREASE THE LEVELS OF LEGIONELLA  
BACTERIA IN THE PUBLIC WATER SYSTEM;**

**(II) THE ESTIMATED LENGTH OF TIME THAT THE LEVEL OF  
LEGIONELLA BACTERIA MAY REMAIN ELEVATED, AS DETERMINED BY THE  
DEPARTMENT;**

**(III) GENERAL INFORMATION ON THE POSSIBLE SOURCES OF  
LEGIONELLA BACTERIA IN THE PUBLIC WATER SYSTEM AND THE HEALTH EFFECTS  
OF LEGIONNAIRES' DISEASE AND RELATED ILLNESSES ON AT-RISK POPULATIONS;  
AND**

(IV) INFORMATION ON MEASURES CONSUMERS CAN TAKE TO  
REDUCE OR ELIMINATE EXPOSURE TO LEGIONELLA BACTERIA, INCLUDING:

1. ENSURING HOT WATER HEATERS ARE WORKING  
PROPERLY AND MAINTAINING A TEMPERATURE OF AT LEAST 130 DEGREES  
FAHRENHEIT AT THE WATER HEATER OUTLET;

2. FLUSHING WATER LINES, INCLUDING THE HOT  
WATER HEATER DRAIN AND EXTERNAL HOSE CONNECTIONS, DURING AND AFTER  
COMPLETION OF CONSTRUCTION WORK;

3. REMOVING AND CLEANING FAUCET AERATOR  
SCREENS AND SHOWERHEADS; AND

4. INSTALLING A WATER FILTRATION SYSTEM OR WATER  
TREATMENT DEVICE CERTIFIED TO REMOVE LEGIONELLA BACTERIA.

(B) (1) AS SOON AS POSSIBLE, AND NOT LATER THAN 24 HOURS AFTER  
THE OCCURRENCE OF A DISRUPTION IN THE WATER DISTRIBUTION SYSTEM, A  
SUPPLIER OF WATER SHALL PROVIDE A WRITTEN RECORD OF THE DISRUPTION TO  
THE DEPARTMENT.

(2) THE DEPARTMENT SHALL ESTABLISH ON ITS WEBSITE A  
PUBLICLY ACCESSIBLE DATABASE OF THE RECORDS OF DISRUPTIONS IN THE WATER  
DISTRIBUTION SYSTEM RECEIVED BY THE DEPARTMENT UNDER THIS SUBSECTION.

(C) (1) ON OR BEFORE JANUARY 1, 2027, THE DEPARTMENT, IN  
CONSULTATION WITH THE MARYLAND DEPARTMENT OF HEALTH, SHALL ADOPT  
REGULATIONS SPECIFYING THE FORM AND MANNER OF NOTICES REQUIRED UNDER  
SUBSECTION (A) OF THIS SECTION.

(2) THE REGULATIONS SHALL INCLUDE THE SPECIFIC INFORMATION  
TO BE INCLUDED IN NOTICES REQUIRED UNDER SUBSECTION (A) OF THIS SECTION.

(3) THE DEPARTMENT SHALL PUBLISH REGULATIONS ADOPTED  
UNDER THIS SUBSECTION ON THE DEPARTMENT'S WEBSITE.

9-432.

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

(2) "DE-IDENTIFIED DATA" MEANS INFORMATION:

1 (I) THAT DOES NOT IDENTIFY ANY INDIVIDUAL;

2 (II) FOR WHICH THERE IS NO REASONABLE BASIS TO BELIEVE  
3 THAT THE INFORMATION CAN BE USED TO IDENTIFY ANY INDIVIDUAL; AND

4 (III) THAT MEETS THE REQUIREMENTS FOR DE-IDENTIFICATION  
5 OF PROTECTED HEALTH INFORMATION UNDER THE FEDERAL HEALTH INSURANCE  
6 PORTABILITY AND ACCOUNTABILITY ACT OF 1996 AND IMPLEMENTING  
7 REGULATIONS ADOPTED BY THE U.S. DEPARTMENT OF HEALTH AND HUMAN  
8 SERVICES.

9 (3) "WATER EXPOSURE POINT" MEANS A LOCATION WHERE AN  
10 INDIVIDUAL DIAGNOSED WITH LEGIONNAIRES' DISEASE RESIDED, WAS EMPLOYED,  
11 OR FREQUENTLY VISITED WITHIN THE 14 DAYS IMMEDIATELY PRECEDING THE  
12 INDIVIDUAL'S DIAGNOSIS.

13 (B) FOR EACH REPORTED DIAGNOSIS OF LEGIONNAIRES' DISEASE, THE  
14 MARYLAND DEPARTMENT OF HEALTH SHALL:

15 (1) CONDUCT A COMPREHENSIVE INVESTIGATION INTO THE  
16 REPORTED CASE; AND

17 (2) ADVISE THE INDIVIDUAL DIAGNOSED WITH LEGIONNAIRES'  
18 DISEASE ABOUT THE AVAILABILITY OF TESTING BY THE MARYLAND DEPARTMENT  
19 OF HEALTH OF THE FIXTURES AND WATER-USING EQUIPMENT AT WATER EXPOSURE  
20 POINTS IDENTIFIED BY THE INDIVIDUAL.

21 (C) (1) IN A MANNER CONSISTENT WITH THE CONSENT PROVIDED BY THE  
22 INDIVIDUAL DIAGNOSED WITH LEGIONNAIRES' DISEASE OR THE OWNER OF THE  
23 PROPERTY, THE MARYLAND DEPARTMENT OF HEALTH SHALL SAMPLE AND TEST  
24 FIXTURES AND WATER-USING EQUIPMENT AT THE WATER EXPOSURE POINTS  
25 IDENTIFIED UNDER SUBSECTION (B) OF THIS SECTION FOR THE PRESENCE OF  
26 LEGIONELLA BACTERIA.

27 (2) EACH TEST SHALL BE CONDUCTED BY A LABORATORY CERTIFIED  
28 FOR THIS PURPOSE BY THE DEPARTMENT.

29 (D) (1) THE MARYLAND DEPARTMENT OF HEALTH SHALL DEVELOP  
30 PROCEDURES AND GUIDELINES REGARDING THE INVESTIGATION OF EACH  
31 REPORTED DIAGNOSIS OF LEGIONNAIRES' DISEASE IN ACCORDANCE WITH  
32 SUBSECTION (B) OF THIS SECTION.

1           **(2) THE PROCEDURES AND GUIDELINES SHALL, AT A MINIMUM,**  
2 **INCLUDE REQUIREMENTS REGARDING:**

3           **(I) THE DOCUMENTATION OF ANY DISRUPTION IN THE WATER**  
4 **DISTRIBUTION SYSTEM SERVING WATER EXPOSURE POINTS IDENTIFIED UNDER**  
5 **SUBSECTION (B) OF THIS SECTION THAT MAY HAVE CAUSED THE RELEASE**  
6 **OF LEGIONELLA BACTERIA INTO THE WATER EXPOSURE POINTS;**

7           **(II) THE INVESTIGATION OF POTENTIAL SOURCES OF**  
8 **EXPOSURE TO LEGIONELLA BACTERIA FROM FIXTURES, WATER-USING EQUIPMENT,**  
9 **OR FEATURES AT THE INDIVIDUAL'S RESIDENCE, INCLUDING WATER EXPOSURES**  
10 **EXTERNAL TO THE RESIDENCE SUCH AS IRRIGATION, HOSES, OR WATER-BASED**  
11 **EQUIPMENT AND DEVICES; AND**

12           **(III) THE INVESTIGATION OF POTENTIAL SOURCES OF**  
13 **EXPOSURE TO LEGIONELLA BACTERIA FROM OTHER IDENTIFIED WATER EXPOSURE**  
14 **POINTS, SUCH AS:**

15                   **1. VISITS TO BUILDINGS, WATER FEATURES, OR CAR**  
16 **WASHES; AND**

17                   **2. EXPOSURE TO IRRIGATION SYSTEMS, PRESSURE**  
18 **WASHING, CAR WINDSHIELD FLUIDS, PUBLIC FOUNTAINS OR TOILETS, OR OTHER**  
19 **ASPECTS OF DAILY TRAVEL AND ACTIVITIES.**

20           **(E) AS THE MARYLAND DEPARTMENT OF HEALTH DEEMS APPROPRIATE,**  
21 **THE MARYLAND DEPARTMENT OF HEALTH MAY DELEGATE ITS RESPONSIBILITIES**  
22 **REGARDING TESTING AND INVESTIGATIONS UNDER THIS SECTION TO THE LOCAL**  
23 **HEALTH DEPARTMENT FOR THE JURISDICTION WHERE A PATIENT DIAGNOSED WITH**  
24 **LEGIONNAIRES' DISEASE LIVES, FREQUENTLY VISITS, OR IS EMPLOYED.**

25           **(F) (1) THE MARYLAND DEPARTMENT OF HEALTH SHALL ESTABLISH ON**  
26 **ITS WEBSITE A PUBLICLY ACCESSIBLE REGISTRY OF DE-IDENTIFIED DATA RELATED**  
27 **TO EACH CASE OF LEGIONNAIRES' DISEASE REPORTED TO THE DEPARTMENT.**

28           **(2) THE MARYLAND DEPARTMENT OF HEALTH SHALL MAKE EVERY**  
29 **EFFORT TO PROVIDE INFORMATION THROUGH THE REGISTRY ON THE**  
30 **APPROXIMATE LOCATION OF EACH CASE OF LEGIONNAIRES' DISEASE TO THE**  
31 **NEAREST CITY BLOCK OR GENERAL NEIGHBORHOOD DESCRIPTION.**

32 **9-433.**

(A) (1) THE MARYLAND DEPARTMENT OF HEALTH SHALL IMMEDIATELY NOTIFY THE DEPARTMENT OF ANY REPORTED DIAGNOSIS OF LEGIONNAIRES' DISEASE.

(2) A NOTICE PROVIDED UNDER THIS SUBSECTION SHALL INCLUDE ADDRESSES WHERE THE INDIVIDUAL DIAGNOSED WITH LEGIONNAIRES' DISEASE RESIDED, FREQUENTLY VISITED, OR WAS EMPLOYED IN THE MONTH IMMEDIATELY PRECEDING THE INDIVIDUAL'S DIAGNOSIS.

(B) (1) UPON RECEIPT OF A NOTICE UNDER SUBSECTION (A) OF THIS SECTION, THE DEPARTMENT SHALL SAMPLE AND TEST THE PUBLIC WATER SYSTEM FOR THE PRESENCE OF LEGIONELLA BACTERIA AT ALL LOCATIONS IDENTIFIED IN THE NOTICE.

(2) ALL TESTING REQUIRED UNDER THIS SUBSECTION SHALL BE CONDUCTED:

(I) BY A LABORATORY CERTIFIED FOR THIS PURPOSE BY THE DEPARTMENT; AND

(II) IN ACCORDANCE WITH THE SAMPLING AND TESTING METHODS ESTABLISHED BY THE DEPARTMENT.

(C) IF THE PRESENCE OF LEGIONELLA BACTERIA IS DETECTED THROUGH INITIAL TESTING CONDUCTED UNDER SUBSECTION (B) OF THIS SECTION, THE DEPARTMENT SHALL CONDUCT, OR REQUIRE THE SUPPLIER OF WATER FOR THE APPLICABLE PUBLIC WATER SYSTEM TO CONDUCT, FURTHER TESTING TO CONFIRM THE PRESENCE OF LEGIONELLA BACTERIA IN ANY SOURCE AS DETERMINED NECESSARY BY THE DEPARTMENT.

9-434.

(A) IN THIS SECTION, "COVERED BUILDING" MEANS A BUILDING THAT MEETS THE CRITERIA SET FORTH IN THE AMERICAN SOCIETY OF HEATING, REFRIGERATION, AND AIR CONDITIONING ENGINEERS (ASHRAE) STANDARD 188-2018.

(B) ON OR BEFORE OCTOBER 1, 2027, THE OWNER OR OPERATOR OF A COVERED BUILDING SHALL IMPLEMENT A WATER MANAGEMENT PROGRAM TO MINIMIZE THE GROWTH AND TRANSMISSION OF LEGIONELLA BACTERIA IN THE BUILDING'S WATER SYSTEM, CONSISTENT WITH ASHRAE STANDARD 188-2018.

1           (C) THE OWNER OR OPERATOR OF A COVERED BUILDING SHALL MAKE THE  
2 WATER MANAGEMENT PROGRAM AVAILABLE UPON REQUEST TO AN EMPLOYEE OF  
3 THE DEPARTMENT, THE MARYLAND DEPARTMENT OF HEALTH, OR ANY OTHER  
4 STATE OR LOCAL DEPARTMENT WITH LICENSE OR INSPECTION AUTHORITY FOR THE  
5 COVERED BUILDING.

6           (D) THE DEPARTMENT, THE MARYLAND DEPARTMENT OF HEALTH, OR ANY  
7 OTHER STATE OR LOCAL DEPARTMENT WITH LICENSE OR INSPECTION AUTHORITY  
8 MAY ENFORCE THIS SECTION CONSISTENT WITH ITS EXISTING AUTHORITY.

9 9-435.

10          (A) ON OR BEFORE JANUARY 1, 2027, THE MARYLAND DEPARTMENT OF  
11 HEALTH SHALL DEVELOP A PUBLIC AWARENESS CAMPAIGN AND TARGETED  
12 CONSUMER EDUCATION PROGRAM TO EDUCATE CONSUMERS, ESPECIALLY  
13 VULNERABLE POPULATIONS, ON:

14           (1) THE ENVIRONMENTAL SOURCES OF LEGIONELLA BACTERIA;

15           (2) THE MOVEMENT OF LEGIONELLA BACTERIA THROUGH WATER  
16 DISTRIBUTION SYSTEMS;

17           (3) THE NOTIFICATION REQUIREMENTS OF THIS PART III OF THIS  
18 SUBTITLE AND HOW THE REQUIREMENTS IMPACT CONSUMERS; AND

19           (4) THE METHODS TO CONTROL LEGIONELLA BACTERIA IN A  
20 PERSON'S HOME.

21          (B) THE PUBLIC AWARENESS CAMPAIGN AND EDUCATION PROGRAM SHALL,  
22 AT A MINIMUM, INCLUDE:

23           (1) INFORMATION ON THE RELATIONSHIP BETWEEN THE RISKS OF  
24 THE PROLIFERATION OF LEGIONELLA BACTERIA AND WATER TEMPERATURE;

25           (2) THE TEMPERATURE REQUIREMENTS FOR MEDICAL DEVICES,  
26 EXPANSION TANKS, HOT TUBS, WHIRLPOOLS, SPAS, POOLS, AIR-CONDITIONING  
27 EQUIPMENT, ORNAMENTAL FOUNTAINS, AND OTHER EQUIPMENT OR DEVICES THAT  
28 RELEASE WATER AEROSOLS IN A PERSON'S HOME OR ON A PERSON'S PROPERTY;  
29 AND

30           (3) THE RELATED RISKS ASSOCIATED WITH THE INHALATION BY  
31 VULNERABLE POPULATIONS OF WATER DROPLETS CONTAINING LEGIONELLA  
32 BACTERIA.

1 **9-436.**

2 **ON OR BEFORE OCTOBER 1, 2027, AND EACH YEAR THEREAFTER, THE**  
3 **DEPARTMENT, IN CONJUNCTION WITH THE MARYLAND DEPARTMENT OF HEALTH,**  
4 **SHALL REPORT TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2-1257 OF THE**  
5 **STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY ON:**

6 **(1) THE NUMBER OF CASES OF LEGIONNAIRES' DISEASE IN THE**  
7 **STATE REPORTED IN EACH OF THE PREVIOUS 10 YEARS;**

8 **(2) THE NUMBER AND TYPE OF VIOLATIONS OF THIS PART III OF THIS**  
9 **SUBTITLE FOR WHICH PENALTIES WERE ASSESSED; AND**

10 **(3) RECOMMENDATIONS FOR LEGISLATIVE ACTION AS MAY BE**  
11 **NECESSARY TO FURTHER CONTROL LEGIONELLA BACTERIA AND OTHER**  
12 **WATERBORNE PATHOGENS IN THE PUBLIC WATER SUPPLY AND AFFECTED**  
13 **BUILDINGS, INCLUDING RECOMMENDATIONS REGARDING WHETHER THE MINIMUM**  
14 **DETECTABLE DISINFECTANT RESIDUAL LEVEL REQUIREMENTS FOR PUBLIC WATER**  
15 **SYSTEMS SHOULD BE INCREASED.**

16 **SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect**  
17 **October 1, 2026.**