



**The Maryland Department of the Environment
Secretary Serena McIlwain**

Senate Bill 872

Education, Energy, and the Environment

Position: Informational
Committee: Education, Energy, and the Environment
Date: February 18, 2026
From: Jeremy D. Baker, Director of Government Relations

The Maryland Department of the Environment (MDE) offers the following **INFORMATIONAL** testimony on HB 872.

Bill Summary

Senate Bill 872 alters the statutory definition of a "rental dwelling unit" under Title 6, Subtitle 8 of the Environment Article (the Reduction of Lead Risk in Housing law). Specifically, the bill removes the word "independent" from the definition of a single habitable rental unit. Furthermore, it expands the criteria for a rental unit to include those that have "access to" permanent provisions for living, sleeping, eating, cooking, and sanitation, rather than requiring the unit to contain these facilities within it.

Position Rationale

The Maryland Department of the Environment is committed to eliminating childhood lead poisoning. To achieve this, the Lead Poisoning Prevention Program relies on a comprehensive registry of rental properties built before 1978 to ensure they meet specific lead risk reduction standards. SB 872 is a critical technical fix that closes a loophole in the current rental housing registry.

Under the current definition, landlords of "rooming houses," Single Room Occupancies (SROs), or shared-living arrangements can argue that their units are exempt from Maryland's Lead Law because the units are not "independent" or do not contain a private kitchen or bathroom inside the room. This bill clarifies that a unit is a "rental dwelling unit" even if the tenant shares access to sanitation or cooking facilities down the hall. Tenants in rooming houses and shared-facility arrangements are often lower-income individuals or families who are statistically at higher risk for lead exposure. These properties are frequently older housing stock with significant lead-based paint hazards. By updating this definition, MDE ensures these tenants receive the same health protections—specifically, the requirement for a Full Risk Reduction certificate—as tenants in traditional apartments. The modification of the definition clarifies enforcement for the Department. It removes ambiguity regarding whether specific room rentals fall under the Department's jurisdiction, allowing the Program to more effectively identify unregistered properties and enforce lead safety standards.

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Despite the benefits discussed above, SB 872 would have significant operational and fiscal impacts on the Lead Poisoning Prevention Program. SB 872 cannot be implemented with current staff or fiscal resources. The Program estimates an additional 37,000 units that would require identification and education on the risk reduction standards for registering and renewing affected properties under Environmental Article Sections 6-811- 6-812. The program would have to expand its staff to manage this increase and provide outreach to bring private, and government owner units into compliance. The Program would also need resources to make upgrades to its existing Rental Registration System to accommodate “Single Room Occupancy” as these units are currently not identifiable in our current system.

Regulatory updates to COMAR would be required to provide guidance to both MDE staff and the regulatory community regarding how units are defined and the inspection of “common/shared spaces” in these single rooms/units. The Program is not currently able to implement the changes outlined in SB 872 without significant operational changes and financial resources (staff/technology). Finally, the Program would require an analysis to identify a single room occupancy unit that would involve an extensive statewide marketing campaign and coordination with local code enforcement agencies to determine if this will impact their current registration requirements.

Accordingly, MDE respectfully requests the Committee consider this information during its deliberation.