

Highlighted Legislative and Policy Accomplishments

State of Maryland Legislation

2013

- Passage of HB 303: Establishes the Task Force to Study Point-of-Care Testing for Lead Poisoning; provides for the composition, chair and staffing of the Task Force; requires the Task Force to study and make recommendations regarding the use of and reimbursement for point-of-care testing to screen and identify children with elevated blood-lead levels; requires the Task Force to report its findings and recommendations to the Governor and specified legislative committees on or before January 1, 2014.

2012

- Passage of HB644: Expands the definition of “Affected Property” under the Maryland Reduction of Lead Risk in Housing Law to include rental properties built from 1950-1978. Provides authority to MDE to seek authorization from EPA to enforce the EPA Renovation, Repair, and Repainting Rule (RRP) for any contractor who is disturbing a painted surface in a residential, public, or commercial building built before 1978. Requires that a contractor pass a lead dust clearance test following renovation activities in Maryland that are covered under the RRP Rule. Authorizes MDE and/or a local jurisdiction to order lead abatement in any child care center, family child care home, or preschool facility where there is a lead poisoned child. Authorizes MDE to enforce a lead abatement order issued by a local jurisdiction or health department. Increases the registration fee with the Maryland Department of the Environment for affected rental units from \$15.00 to \$30.00 per unit, per year.
- Passage of HB1268: Alters the definition of “lead-free” to include a consistent standard for individual plumbing fittings and fixtures. Allows for a stricter federal standard for lead-free plumbing fittings, fixtures, pipes and pipe fittings.

2011

- Passage of HB1033: Improves Maryland law by requiring mandatory lead dust testing to meet Maryland’s Risk Reduction inspection standard for older rental properties. Moves Maryland to a health-based rental housing standard by eliminating the visual inspection only option.

2010

- Passage of HB372: Prohibits the sale and use of leaded plumbing materials in Maryland.

2008

- Passage of HB589/SB557: Permits a tenant to request the immediate release from the terms of a lease or rental agreement for a non-compliant property and requires the property owner of a non-compliant property to pay all reasonable relocation expenses, not to exceed \$2,500, directly related to the relocation of the tenant to a lead-free property or a property that has satisfied full risk reduction treatments pursuant to § 6-815 of the Environment Article. Requires an individual, applying to the Maryland Home Improvement Commission for a license, to be accredited by the Maryland Department of Environment if the applicant provides lead paint abatement services. Changes the definition of "lead safe housing" to a rental dwelling unit, that is certified to be in compliance with § 6-815(a) of the Environment Article, and in which all windows are either lead-free or have been treated so that all friction surfaces are lead-free; and in which lead contaminated dust levels are determined to be within abatement clearance levels.
- Passage of HB62: Mandates that any consumable products, marketed to children under age 6 or products that may be foreseeably used by children under age 6, contain lead in no amount greater than 0.06% weight by total weight for lead-containing products. Requires independent, third-party testing of all children's products, such as jewelry, clothing, furniture and lunchboxes, and provide certification to retailers and/or the Maryland Department of the Environment upon request.

2006

- Passage of HB125: Creates criminal penalties for owners or inspection companies who falsify inspection information or generate fraudulent inspection certificates for properties which do not meet Maryland's inspection standards.
- Passage of HB1450: Doubles penalties for owners who have failed to register their properties or who have failed to have them inspected to meet the Maryland Reduction of Lead Risk in Housing Law standards which have been in effect since 1996.
- Passage of HB1676: Permits environmental intervention to occur based on capillary ("finger prick") blood lead testing rather than relying exclusively on venous blood lead testing. Allows for filter paper testing of children as a legitimate testing tool in doctor's offices and clinics thereby resulting in larger numbers of children being identified and more preventive repairs being triggered in homes at lower lead levels.

2005

- Passage of HB251: Lowers blood lead action levels for lead hazard reduction intervention and relocation assistance. Strengthens the enforcement capabilities of MDE against non-compliant owners. Expands the list of exterior surfaces that may be accessible to a child and must be repaired.
- Passage of HB1375/SB351: Requires notification of parents when schools are informed that the school's water supply has been contaminated.
- Passage of HB575: Establishes local computer monitor recycling programs and take-back recycling programs by computer manufacturers.

2004

- Passage of HB1245 "Clean Hands Bill": Requires that owners get their rental property into compliance before they can gain access to Rent Court eviction and rent collection processes. Legislation also requires that rental property owners certify compliance with the Maryland Reduction of Lead Risk in Housing Law.
- Passage of HB1318: Requires that government lead and housing inspectors disclose any real property interests in Maryland as a precaution against conflicts of interest and self dealing.
- Passage of HB109: Requires that manufacturers implement a computer products collection system for cathode ray tubes to be able to sell computers in Maryland.

2003

- Passage of HB719: Paint can labeling law now requires manufacturers and insurers to warn customers of potentially dangerous renovation activities that may disturb lead-based paint by placing warning labels on the tops of all paint cans.
- Passage of HB722: Requires local housing code, registration, and licensing departments to identify and report non-compliant owners to the Maryland Department of the Environment.



2001

- Passage of HB1163: Closed loophole in Maryland Reduction of Lead Risk in Housing Law by no longer allowing properties to pass inspection where chipping, peeling paint exists in the property at the time of inspection.

2000

- Passage of HB1221: Established mandatory blood lead testing for all children at 12 and 24 months in DHMH designated at risk areas throughout the State of Maryland.
- Passage of HB1052: Amended Maryland Reduction of Lead Risk in Housing Law to require that rental property owners of affected properties provide the tenant with a Risk Reduction Inspection Certificate prior to the initiation of the tenancy.
- Passage of HB1267: Established Alcohol and Drug Treatment to Work Pilot Program to pay for the creation of lead hazard reduction worker programs for individuals completing alcohol and drug treatment programs.

1998

- Passage of HB1168: Bill was originally drafted to seek the repeal of rent escrow for lead hazards. Bill resulted in enhancing tenant's rights in affected properties to pursue rent escrow actions for the repair of lead hazards.

1997

- Passage of HB1138: New statewide requirements establishing blood lead testing of children as a requirement prior to entering child care or day care.
- Passage of SB324: Requiring that MDE submit annual enforcement activity reports to the Legislature and make those reports public.

1994

- Passage of HB760: Maryland Reduction of Lead Risk in Housing Law was landmark legislation establishing mandatory lead hazard reduction, inspection, registration and lead poisoning prevention pamphlet distribution requirements for all pre-1950 rental properties in Maryland.

Baltimore City Legislation

- CB43: Requires posting of “No Occupancy” Notices on properties with outstanding Baltimore City Health Department Lead Violations.
- CB44: Established mandatory blood lead testing in Baltimore City for children ages 12 and 24 months residing in Baltimore City.
- CB133: Gives new authority to Baltimore City Health Department Sanitarians (inspectors) to preventively test or check the compliance status of other units in the same building as the lead poisoning property. Gives new power to Baltimore City to petition the Court to permit inspections of former lead poisoning properties that are now vacant due to the family moving from the original lead poisoning property or having been retaliatory evicted from the property.

Stopping Passage of Harmful Legislation & Government Regulations

- Would have negated the 2003 Brooks vs. Lewin Realty Court of Appeals decision that requires City landlords to regularly inspect their properties for chipping paint (HB942-2004; HB1403-2005; HB972-2006; HB406-2007) (City Council Bill 1276-2004)
- Would have created deterrents and barriers to tenants to file for rent escrow for the repair of lead hazards. (HB1343-2004)
- MDE’s proposed 25 square foot exemption for affected properties under the Maryland Reduction of Lead Risk in Housing Law (1997);
- Numerous Defeated Bills that were seeking exemptions from the Maryland Reduction of Lead Risk in Housing Law including among others:
 - Changing the time period from two years to 5 years upon which the residential property owner must submit documents to MDE to maintain exemption. The exemption remains valid even if the property owner fails to possess or maintain records of the any certification. The exemption will expire October 1, 2020 (HB 1158-2015)
 - Changing the time period from two to five years. Completely exempting property after two consecutive certification periods. Specifically dealing with limited lead-free, but possible to extend to other affected properties. (SB 0859-2015)
 - Altering the application of the Reduction of Lead Risk in Housing Law to apply to specified property constructed before 1966; requiring specified owners to register specified properties built between January 1, 1966, and December 31, 1977, both inclusive, in a specified manner; providing civil penalties for registration violations; providing a registration fee for specified property; etc. (HB 888-2014)

- Exempting exterior surfaces from lead safe work practices (HB1167-2002/HB589-2003)
- Limiting risk reduction inspections to every 2 years rather than at tenant turnover (HB1411-2002)
- Exempting properties in agricultural areas (HB1063-1998)
- Exempting properties that are owned by owners with 2 or less properties (HB1398-1998)
- Exempting historical properties (1997)
- Exempting properties where children under age 6 do not reside (SB549/HB958-1996)
- Exempting a property owner from the requirements to treat the lead hazards in the property if the owner merely discloses the known lead hazards to a prospective tenant (HB111 -1996)
- Exempting lead safe work practices for residential lead abatement projects (HB61-1996)

Highlighted Policy Changes

- Adoption by Baltimore City in the Baltimore City Housing Code of the Lead Safe Demolition Practices that were developed by the Coalition and other interested partners for EBDI's demolition protocols
- Adoption of the Coalition's Recommendations for improvements to Maryland's Plan to Eliminate Childhood Lead Poisoning by 2010
- Adoption of Windows of Opportunity Plan and accelerated timeline for ending childhood lead poisoning as part of Governor and Mayor's three year Lead Initiative 2000-2003;
- MDE Enforcement of the Maryland Reduction of Lead Risk in Housing Law;
- Baltimore City Lead Violation Enforcement;
- Creation of 1998 Enforcement Task Force and monies from Governor's Initiative
- Enforcement of Maryland Reduction of Lead Risk in Housing standards in Section 8 properties;
- Preferences for Baltimore City Housing Choice Voucher Program (Section 8) Certificates for Lead Affected Families referred by the Coalition;
- Deterrent against fair housing discrimination for families with lead poisoned children;