

# HOUSE BILL 1367

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By: **Delegate Rosenberg**

Introduced and read first time: February 7, 2025

Assigned to: Environment and Transportation

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## A BILL ENTITLED

1 AN ACT concerning

2 **Lead Testing and Inspections – Falsifying Information – Penalty**

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

6 BY repealing and reenacting, without amendments,  
7 Article – Environment  
8 Section 6–818  
9 Annotated Code of Maryland  
10 (2013 Replacement Volume and 2024 Supplement)

11 BY repealing and reenacting, with amendments,  
12 Article – Environment  
13 Section 6–850  
14 Annotated Code of Maryland  
15 (2013 Replacement Volume and 2024 Supplement)

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

18 **Article – Environment**

19 6–818.

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

22 (i) Shall be accredited by the Department;

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

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

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

6 (b) A report submitted to the Department under subsection (a) of this section that  
7 certifies compliance for an affected property with the risk reduction standard shall be  
8 conclusive proof that the owner is in compliance with the risk reduction standard for the  
9 affected property during the period for which the certification is effective, unless there is:

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

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

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

16 6-850.

17 (a) Except as provided in § 6-849 of this subtitle, in addition to any other  
18 remedies provided in this subtitle, the provisions and procedures of §§ 7-256 through  
19 7-264 and 7-266 of this article shall be used and shall apply to enforce violations of this  
20 subtitle, provided that the penalty imposed under § 7-266(b)(2)(i) of this article may not  
21 exceed \$500 per day for any violation of this subtitle.

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

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

29 **(2) EACH DAY A VIOLATION OCCURS IS A SEPARATE VIOLATION**  
30 **UNDER THIS SUBSECTION.**

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