

# HOUSE BILL 665

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CF SB 675

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By: **Delegates K. Young and Krimm**

Introduced and read first time: February 12, 2015

Assigned to: Health and Government Operations

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## A BILL ENTITLED

1 AN ACT concerning

2 **Department of Health and Mental Hygiene – Biosafety Level 3 (BSL–3)**  
3 **Laboratory Safety Program**

4 FOR the purpose of establishing the Biosafety Level 3 (BSL–3) Laboratory Safety Program;  
5 requiring the Program to identify certain BSL–3 laboratories in the State and their  
6 locations and collect certain other information regarding safety issues relevant to  
7 BSL–3 laboratories; requiring certain BSL–3 laboratories in the State to report  
8 certain information to the Program; requiring the Department of Health and Mental  
9 Hygiene to report annually to the General Assembly and certain local jurisdictions  
10 in a certain manner certain aggregate information regarding BSL–3 laboratories in  
11 the State; providing that certain information prepared for and maintained by the  
12 Program shall be confidential and is not subject to the public information law;  
13 providing for certain penalties; defining a certain term; and generally relating to the  
14 establishment of the Biosafety Level 3 (BSL–3) Laboratory Safety Program.

15 BY adding to

16 Article – Health – General

17 Section 17–701 to be under the new subtitle “Subtitle 7. Biosafety Level 3 (BSL–3)  
18 Laboratory Safety Program”

19 Annotated Code of Maryland

20 (2009 Replacement Volume and 2014 Supplement)

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

23 **Article – Health – General**

24 **SUBTITLE 7. BIOSAFETY LEVEL 3 (BSL–3) LABORATORY SAFETY PROGRAM.**

25 **17–701.**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1           **(A) IN THIS SECTION, “BIOSAFETY LEVEL 3 (BSL-3) LABORATORY” MEANS**  
2 **A LABORATORY DESIGNATED AS A BSL-3 LABORATORY BY THE FEDERAL CENTERS**  
3 **FOR DISEASE CONTROL AND PREVENTION BASED ON:**

4                   **(1) USAGE OF BIO-AGENTS THAT MAY CAUSE SERIOUS OR**  
5 **POTENTIALLY LETHAL DISEASE AFTER INHALATION; AND**

6                   **(2) REQUIRED BIOCONTAINMENT PRECAUTIONS.**

7           **(B) THERE IS A BIOSAFETY LEVEL 3 (BSL-3) LABORATORY SAFETY**  
8 **PROGRAM IN THE DEPARTMENT.**

9           **(C) THE PROGRAM SHALL:**

10                   **(1) IDENTIFY BSL-3 LABORATORIES IN THE STATE THAT DO NOT**  
11 **WORK WITH FEDERALLY REGULATED BIOLOGICAL SELECT AGENTS AND TOXINS OR**  
12 **THEIR PRODUCTS;**

13                   **(2) IDENTIFY THE LOCATION OF THESE LABORATORIES; AND**

14                   **(3) COLLECT ANY OTHER INFORMATION IT CONSIDERS RELEVANT TO**  
15 **SAFETY ISSUES APPLICABLE TO BSL-3 LABORATORIES.**

16           **(D) A BSL-3 LABORATORY IN THE STATE THAT DOES NOT WORK WITH**  
17 **FEDERALLY REGULATED BIOLOGICAL SELECT AGENTS AND TOXINS OR THEIR**  
18 **PRODUCTS SHALL REPORT TO THE PROGRAM THE INFORMATION REQUIRED UNDER**  
19 **SUBSECTION (C) OF THIS SECTION.**

20           **(E) THE DEPARTMENT SHALL REPORT BY DECEMBER 31 OF EACH YEAR, IN**  
21 **ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, TO THE**  
22 **GENERAL ASSEMBLY AND APPROPRIATE LOCAL JURISDICTIONS, IN TOTAL AND BY**  
23 **COUNTY AND MUNICIPALITY:**

24                   **(1) THE NUMBER OF BSL-3 LABORATORIES THAT DO NOT WORK**  
25 **WITH FEDERALLY REGULATED BIOLOGICAL SELECT AGENTS AND TOXINS OR THEIR**  
26 **PRODUCTS; AND**

27                   **(2) THE LOCATIONS OF THESE LABORATORIES.**

28           **(F) NONAGGREGATED INFORMATION PREPARED FOR OR MAINTAINED BY**  
29 **THE PROGRAM SHALL BE CONFIDENTIAL AND IS NOT SUBJECT TO INSPECTION**  
30 **UNDER TITLE 4 OF THE GENERAL PROVISIONS ARTICLE.**

1           **(G) (1) A PERSON WHO VIOLATES ANY PROVISION OF THIS SECTION IS**  
2 **GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO A FINE NOT**  
3 **EXCEEDING \$100 FOR THE FIRST OFFENSE AND NOT EXCEEDING \$500 FOR EACH**  
4 **SUBSEQUENT CONVICTION FOR A VIOLATION OF THE SAME PROVISION.**

5           **(2) EACH DAY A VIOLATION IS CONTINUED AFTER THE FIRST**  
6 **CONVICTION IS A SUBSEQUENT OFFENSE.**

7           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
8 October 1, 2015.