

# SENATE BILL 1183

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8lr3988  
CF HB 1495

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By: **Senator Ferguson**

Introduced and read first time: February 20, 2018

Assigned to: Rules

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## A BILL ENTITLED

1 AN ACT concerning

2 **Public School Construction Assessment and Maintenance Reform Act**

3 FOR the purpose of requiring the Interagency Committee on School Construction to develop  
4 and adopt certain standards and to create a certain index for educational facilities  
5 on or before a certain date; requiring the Interagency Committee to conduct a certain  
6 facility assessment under certain conditions on or before a certain date and annually  
7 thereafter; requiring local education agencies to follow certain standards and  
8 contribute certain data annually to update a certain facility assessment; requiring  
9 the Interagency Committee to compare certain data; requiring the Interagency  
10 Committee to establish rankings annually based on certain criteria; requiring the  
11 Interagency Committee to establish training and certification standards for certain  
12 employees on or before a certain date; defining certain terms; requiring the Board of  
13 Public Works to adopt certain regulations; and generally relating to the condition of  
14 public school facilities.

15 BY adding to

16 Article – Education

17 Section 5–302.1

18 Annotated Code of Maryland

19 (2014 Replacement Volume and 2017 Supplement)

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

22 **Article – Education**

23 **5–302.1.**

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

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1           **(2) “EDUCATIONAL FACILITIES SUFFICIENCY STANDARDS” MEANS A**  
2 **UNIFORM SET OF CRITERIA AND MEASURES FOR EVALUATING THE PHYSICAL**  
3 **CONDITION AND EDUCATIONAL SUITABILITY OF PUBLIC ELEMENTARY AND**  
4 **SECONDARY SCHOOL FACILITIES IN THE STATE.**

5           **(3) “FACILITY CONDITION INDEX” MEANS A CALCULATION TO**  
6 **DETERMINE THE RELATIVE CONDITION OF PUBLIC SCHOOL FACILITIES BY DIVIDING**  
7 **THE TOTAL REPAIR COST OF A FACILITY BY THE TOTAL REPLACEMENT COST OF A**  
8 **FACILITY.**

9           **(B) ON OR BEFORE JANUARY 1, 2019, THE INTERAGENCY COMMITTEE ON**  
10 **SCHOOL CONSTRUCTION SHALL ADOPT EDUCATIONAL FACILITIES SUFFICIENCY**  
11 **STANDARDS AND, IN ACCORDANCE WITH SUBSECTION (C) OF THIS SECTION, A**  
12 **MARYLAND SCHOOL FACILITY CONDITION INDEX.**

13           **(C) THE EDUCATIONAL FACILITIES SUFFICIENCY STANDARDS AND THE**  
14 **FACILITY CONDITION INDEX SHALL BE WEIGHTED TO ADDRESS THE FUNCTIONAL**  
15 **RELEVANCY OF SPECIFIC FACILITY DEFICIENCIES, AS DETERMINED BY THE**  
16 **INTERAGENCY COMMITTEE, TO CREATE THE MARYLAND SCHOOL FACILITY**  
17 **CONDITION INDEX.**

18           **(D) (1) ON OR BEFORE JANUARY 1, 2020, THE INTERAGENCY**  
19 **COMMITTEE SHALL COMPLETE AN INITIAL STATEWIDE FACILITIES ASSESSMENT**  
20 **USING THE EDUCATIONAL FACILITIES SUFFICIENCY STANDARDS ADOPTED UNDER**  
21 **SUBSECTION (B) OF THIS SECTION.**

22           **(2) IN COMPLETING THE ASSESSMENT THE INTERAGENCY**  
23 **COMMITTEE SHALL:**

24                   **(I) INCORPORATE THE MARYLAND SCHOOL FACILITY**  
25 **CONDITION INDEX ESTABLISHED IN SUBSECTION (C) OF THIS SECTION;**

26                   **(II) CONTRACT WITH AN INDEPENDENT THIRD-PARTY VENDOR**  
27 **TO CONDUCT DATA COLLECTION AND ASSESSMENT;**

28                   **(III) UTILIZE, TO THE EXTENT POSSIBLE, EXISTING DATA**  
29 **SOURCES, INCLUDING THE EDUCATIONAL FACILITIES MASTER PLAN; AND**

30                   **(IV) COORDINATE WITH LOCAL EDUCATION AGENCIES TO**  
31 **IDENTIFY DATA ELEMENTS TO BE USED IN THE FACILITY ASSESSMENT.**

32           **(E) (1) FOLLOWING THE COMPLETION OF THE INITIAL STATEWIDE**

1 FACILITIES ASSESSMENT, THE INTERAGENCY COMMITTEE SHALL DEVELOP  
2 STANDARDS TO COMPREHENSIVELY UPDATE THE FACILITIES ASSESSMENT SUCH  
3 THAT FACILITY ASSESSMENT DATA IS NO OLDER THAN 4 YEARS.

4 (2) LOCAL EDUCATION AGENCIES SHALL:

5 (I) FOLLOW THE STANDARDS DEVELOPED IN PARAGRAPH (1)  
6 OF THIS SUBSECTION; AND

7 (II) CONTRIBUTE DATA ANNUALLY TO REGULARLY AND  
8 COMPREHENSIVELY UPDATE THE ASSESSMENT.

9 (3) THE INTERAGENCY COMMITTEE SHALL COMPARE THE DATA  
10 FROM THE INITIAL STATEWIDE FACILITIES ASSESSMENT TO THE DATA SUBMITTED  
11 BY LOCAL EDUCATION AGENCIES UNDER PARAGRAPH (2)(II) OF THIS SUBSECTION.

12 (F) AFTER COMPLETION OF THE INITIAL ASSESSMENT, AND ANNUALLY  
13 THEREAFTER, THE INTERAGENCY COMMITTEE SHALL DETERMINE A RANKING OF  
14 EACH PUBLIC ELEMENTARY AND SECONDARY SCHOOL FACILITY USING THE  
15 MARYLAND SCHOOL FACILITY CONDITION INDEX ESTABLISHED IN SUBSECTION (C)  
16 OF THIS SECTION.

17 (G) ON OR BEFORE JANUARY 1, 2020, THE INTERAGENCY COMMITTEE  
18 SHALL ESTABLISH TRAINING AND CERTIFICATION STANDARDS FOR ITS SCHOOL  
19 FACILITIES MAINTENANCE INSPECTORS BASED ON NATIONAL BEST PRACTICES FOR  
20 TRAINING AND CERTIFICATION OF SCHOOL FACILITIES MAINTENANCE AND  
21 CONDITION ASSESSORS.

22 (H) THE BOARD OF PUBLIC WORKS SHALL ADOPT REGULATIONS TO CARRY  
23 OUT THIS SECTION.

24 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
25 1, 2018.