

HOUSE BILL 1069

M3, N1, Q6

11r2431

By: **Delegate Stewart**

Introduced and read first time: February 5, 2021

Assigned to: Environment and Transportation

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 10, 2021

CHAPTER _____

1 AN ACT concerning

2 **Water Supply – Private Well Safety Program**

3 FOR the purpose of ~~establishing the Private Well Safety Program in the Department of the~~
4 ~~Environment; establishing the Private Well Safety Fund as a special, nonlapsing~~
5 ~~fund; specifying the purpose of the Program and the Fund; requiring the Secretary~~
6 ~~of the Environment to administer the Fund; requiring the State Treasurer to hold~~
7 ~~the Fund and the Comptroller to account for the Fund; specifying the contents of the~~
8 ~~Fund; specifying the purpose for which the Fund may be used; establishing certain~~
9 ~~qualifications for certain counties to receive a certain grant under the Fund;~~
10 ~~requiring certain counties that are grant recipients to report certain information to~~
11 ~~the Department of the Environment; requiring the Department of the Environment,~~
12 ~~in consultation with the Maryland Department of Health, to establish a certain well~~
13 ~~surveillance program and to provide certain notices; requiring the Department of the~~
14 ~~Environment to utilize a certain portal to receive records of certificates of potability~~
15 ~~and results of certain water quality testing; requiring a county and a certain~~
16 ~~State certified laboratory to upload certain information to a certain portal in a~~
17 ~~certain manner; requiring an owner of residential rental property that is served by~~
18 ~~a private water supply well to provide water quality testing in a certain manner and~~
19 ~~to disclose to a tenant certain results; requiring a vendor of residential real property~~
20 ~~that is served by a private water supply well to deliver to each purchaser, on or before~~
21 ~~a certain time, the results of a certain water quality test; establishing a certain~~
22 ~~special transfer tax payable for certain instruments of writing; requiring certain~~
23 ~~instruments of writing to be accompanied by a certain statement; requiring the State~~
24 ~~Department of Assessments and Taxation to deduct and credit a certain special~~
25 ~~transfer tax to the Fund; requiring the Department of the Environment to report to~~

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



~~the General Assembly on or before a certain date; requiring the Department of the Environment and counties to engage in certain outreach for certain purposes in a certain manner; authorizing the Department of the Environment to adopt certain regulations; defining certain terms requiring an owner of residential rental property that is served by a private water supply well to notify a tenant under certain circumstances; requiring an owner of residential rental property that is served by a private water supply well to notify the Department of the Environment and the local health department about well contamination and address the contamination under certain circumstances and in a certain manner; providing for the application of certain provisions of this Act; and generally relating to water supply and private well safety.~~

BY adding to

Article – Environment

Section ~~9-4A-01 through 9-4A-16~~ to be under the new subtitle “Subtitle 4A. Private Well Safety Program”

Annotated Code of Maryland

(2014 Replacement Volume and 2020 Supplement)

~~BY adding to~~

~~Article – Real Property~~

~~Section 10-711~~

~~Annotated Code of Maryland~~

~~(2015 Replacement Volume and 2020 Supplement)~~

~~BY repealing and reenacting, with amendments,~~

~~Article – Tax – Property~~

~~Section 13-201, 13-202, 13-203(a), and 13-209(a)~~

~~Annotated Code of Maryland~~

~~(2019 Replacement Volume and 2020 Supplement)~~

~~BY adding to~~

~~Article – Tax – Property~~

~~Section 13-204.1~~

~~Annotated Code of Maryland~~

~~(2019 Replacement Volume and 2020 Supplement)~~

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

Article – Environment

SUBTITLE 4A. PRIVATE WELL SAFETY PROGRAM.

~~PART I. DEFINITIONS.~~

~~9-4A-01.~~

1 ~~(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS~~
2 ~~INDICATED.~~

3 ~~(B) "COVERED HOUSEHOLD" MEANS ONE OR MORE INDIVIDUALS THAT~~
4 ~~RESIDE AT A PROPERTY THAT IS SERVED BY A PRIVATE WATER SUPPLY WELL.~~

5 ~~(C) "FUND" MEANS THE PRIVATE WELL SAFETY FUND.~~

6 ~~(D) "HARMFUL LEVEL OF RADON" MEANS A LEVEL OF RADON AT OR ABOVE~~
7 ~~4 PICOCURIES PER LITER.~~

8 ~~(E) "HOTSPOT" MEANS:~~

9 ~~(1) A PRIVATE WATER SUPPLY WELL THAT CONTAINS A SUBSTANCE~~
10 ~~THAT EXCEEDS, BY MORE THAN TWICE, THE MAXIMUM CONTAMINANT LEVEL FOR~~
11 ~~THAT SUBSTANCE IN TWO OR MORE CONSECUTIVE TESTS; OR~~

12 ~~(2) A ZIP CODE WHERE AT LEAST 50% OF THE WATER QUALITY~~
13 ~~TESTING COMPLETED WITHIN THE PAST 2 YEARS DETECTED A SUBSTANCE THAT~~
14 ~~EXCEEDS THE MAXIMUM CONTAMINANT LEVEL FOR THAT SUBSTANCE.~~

15 ~~(F) "MAXIMUM CONTAMINANT LEVEL" MEANS A STANDARD THAT IS:~~

16 ~~(1) SET BY THE U.S. ENVIRONMENTAL PROTECTION AGENCY FOR~~
17 ~~DRINKING WATER QUALITY; AND~~

18 ~~(2) THE LEGAL THRESHOLD LIMIT ON THE AMOUNT OF A SUBSTANCE~~
19 ~~THAT IS ALLOWED IN A PUBLIC WATER SYSTEM UNDER THE FEDERAL SAFE~~
20 ~~DRINKING WATER ACT.~~

21 ~~(G) "PROGRAM" MEANS THE PRIVATE WELL SAFETY PROGRAM.~~

22 ~~(H) (1) "WATER QUALITY TESTING" MEANS WATER QUALITY TESTING OF~~
23 ~~A PRIVATE WATER SUPPLY WELL.~~

24 ~~(2) "WATER QUALITY TESTING" INCLUDES TESTING FOR:~~

25 ~~(I) TOTAL COLIFORM BACTERIA;~~

26 ~~(II) NITRATES;~~

27 ~~(III) TOTAL DISSOLVED SOLIDS;~~

28 ~~(IV) PH LEVELS;~~

~~(v) HARMFUL LEVELS OF RADON; OR~~

~~(vi) HARMFUL LEVELS OF ANY OTHER CONTAMINANT, AS DETERMINED BY THE DEPARTMENT.~~

~~9-4A-02. RESERVED.~~

~~9-4A-03. RESERVED.~~

~~PART II. PROGRAM AND FUND.~~

~~9-4A-04.~~

~~(A) THERE IS A PRIVATE WELL SAFETY PROGRAM IN THE DEPARTMENT.~~

~~(B) THE PURPOSE OF THE PROGRAM IS TO ADDRESS AND MANAGE THE CONTAMINATION OF PRIVATE WATER SUPPLY WELLS IN THE STATE.~~

~~9-4A-05.~~

~~(A) THERE IS A PRIVATE WELL SAFETY FUND.~~

~~(B) THE PURPOSE OF THE FUND IS TO IMPLEMENT THE PROGRAM.~~

~~(C) THE SECRETARY SHALL ADMINISTER THE FUND.~~

~~(D) (1) THE FUND IS A SPECIAL, NONLAPSING FUND THAT IS NOT SUBJECT TO § 7-302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.~~

~~(2) THE STATE TREASURER SHALL HOLD THE FUND SEPARATELY, AND THE COMPTROLLER SHALL ACCOUNT FOR THE FUND.~~

~~(E) THE FUND CONSISTS OF:~~

~~(1) REVENUE DISTRIBUTED TO THE FUND UNDER § 13-209 OF THE TAX PROPERTY ARTICLE;~~

~~(2) MONEY APPROPRIATED IN THE STATE BUDGET TO THE FUND;~~
~~AND~~

~~(3) ANY OTHER MONEY FROM ANY OTHER SOURCE ACCEPTED FOR THE BENEFIT OF THE FUND.~~

~~(F) THE FUND MAY BE USED ONLY FOR:~~

1 ~~(1) IMPLEMENTING THE PROGRAM ESTABLISHED UNDER THIS~~
2 ~~SUBTITLE;~~

3 ~~(2) PROVIDING GRANTS TO COUNTIES FOR DISTRIBUTION TO~~
4 ~~COVERED HOUSEHOLDS TO ASSIST WITH THE COSTS ASSOCIATED WITH:~~

5 ~~(I) WATER QUALITY TESTING KITS AND ANALYSIS; AND~~

6 ~~(II) WELL REMEDIATION, INCLUDING:~~

7 ~~1. THE COSTS ASSOCIATED WITH REPLACING,~~
8 ~~RECONSTRUCTING, OR TREATING A WELL WHEN WATER QUALITY TESTING DETECTS:~~

9 ~~A. A SUBSTANCE EXCEEDS THE MAXIMUM~~
10 ~~CONTAMINANT LEVEL FOR THAT SUBSTANCE;~~

11 ~~B. A HARMFUL LEVEL OF RADON; OR~~

12 ~~C. A HARMFUL LEVEL OF ANY OTHER CONTAMINANT, AS~~
13 ~~DETERMINED BY THE DEPARTMENT; AND~~

14 ~~2. THE COSTS ASSOCIATED WITH AN ACTION TAKEN TO~~
15 ~~PREVENT A SEPTIC SYSTEM FROM FURTHER CONTAMINATING DRINKING WATER~~
16 ~~SOURCES; AND~~

17 ~~(3) PROVIDING GRANTS TO A COVERED HOUSEHOLD TO PROVIDE THE~~
18 ~~ASSISTANCE AUTHORIZED UNDER ITEM (2) OF THIS SUBSECTION IF THE~~
19 ~~HOUSEHOLD IS LOCATED IN A COUNTY THAT HAS NOT RECEIVED GRANT MONEY~~
20 ~~FROM THE FUND.~~

21 ~~(C) THE DEPARTMENT SHALL ESTABLISH A GRANT APPLICATION PROCESS~~
22 ~~FOR PROVIDING A GRANT IN ACCORDANCE WITH THIS PART THAT PRIORITIZES:~~

23 ~~(1) AREAS WITH THE HIGHEST PERCENTAGE OF COVERED~~
24 ~~HOUSEHOLDS AND THE HIGHEST PERCENTAGE OF LOW-INCOME RESIDENTS; AND~~

25 ~~(2) HOUSEHOLDS WITH A PREGNANT INDIVIDUAL OR INFANT UNDER~~
26 ~~THE AGE OF 6 MONTHS.~~

27 ~~(H) THE DEPARTMENT SHALL:~~

28 ~~(1) PROVIDE NOTICE OF THE PROGRAM AND FUND TO EACH COUNTY;~~
29 ~~AND~~

1 ~~(2) PUBLISH INFORMATION ON THE PROGRAM AND FUND ON ITS~~
2 ~~WEBSITE, INCLUDING INFORMATION ON THE AVAILABILITY OF FUNDING.~~

3 ~~(1) A COVERED HOUSEHOLD MAY NOT RECEIVE GRANT MONEY UNDER THIS~~
4 ~~SECTION MORE THAN ONCE A YEAR.~~

5 ~~9-4A-06.~~

6 ~~A COUNTY IS QUALIFIED TO RECEIVE A GRANT IN ACCORDANCE WITH THIS~~
7 ~~PART IF THE COUNTY AGREES TO ENGAGE IN OUTREACH ACTIVITIES:~~

8 ~~(1) TO EDUCATE COUNTY RESIDENTS ON THE EXISTENCE AND~~
9 ~~PURPOSE OF THE PROGRAM AND FUND AND ON THE IMPORTANCE OF ANNUALLY~~
10 ~~TESTING WELL WATER FOR CONTAMINANTS; AND~~

11 ~~(2) THAT, AT A MINIMUM, INCLUDE:~~

12 ~~(i) PUBLISHING INFORMATION ON THE COUNTY'S WEBSITE;~~

13 ~~(ii) PROVIDING INFORMATION TO RESIDENTS OVER THE~~
14 ~~TELEPHONE WHEN A RESIDENT CALLS THE COUNTY ABOUT WELL TESTING OR~~
15 ~~REMEDICATION OR THE PROGRAM; AND~~

16 ~~(iii) PROVIDING NOTICE ON THE PROCESS FOR OBTAINING A~~
17 ~~CERTIFICATE OF POTABILITY FOR A PRIVATE WATER SUPPLY WELL.~~

18 ~~9-4A-07.~~

19 ~~A COUNTY THAT RECEIVED A GRANT IN ACCORDANCE WITH THIS PART SHALL~~
20 ~~SUBMIT AN ANNUAL REPORT TO THE DEPARTMENT, IN A MANNER REQUIRED BY THE~~
21 ~~DEPARTMENT, THAT PROVIDES THE FOLLOWING INFORMATION:~~

22 ~~(1) THE LOCATIONS OF COVERED HOUSEHOLDS THAT RECEIVED~~
23 ~~GRANT MONEY UNDER THE FUND; AND~~

24 ~~(2) THE DOLLAR AMOUNT OF GRANT MONEY AWARDED TO EACH~~
25 ~~HOUSEHOLD.~~

26 ~~9-4A-08. RESERVED.~~

27 ~~9-4A-09. RESERVED.~~

28 ~~PART III. MISCELLANEOUS.~~

29 ~~9-4A-10.~~

1 ~~(A) THE DEPARTMENT SHALL UTILIZE AN EXISTING PORTAL, SUCH AS THE~~
2 ~~DEPARTMENT OF INFORMATION TECHNOLOGY'S OPEN DATA PORTAL;~~

3 ~~(1) (i) TO RECEIVE RECORDS OF CERTIFICATES OF POTABILITY;~~
4 ~~AND~~

5 ~~(ii) TO RECEIVE RESULTS OF WATER QUALITY TESTING FROM~~
6 ~~STATE-CERTIFIED LABORATORIES; AND~~

7 ~~(2) TO PROVIDE PUBLIC ACCESS TO THE INFORMATION RECEIVED~~
8 ~~UNDER ITEM (1) OF THIS SUBSECTION IN A MANNER THAT IS EASY TO USE AND~~
9 ~~CATEGORIZED BY COUNTY.~~

10 ~~(B) A COUNTY SHALL UPLOAD RECORDS OF CERTIFICATES OF POTABILITY~~
11 ~~AND, ON A MONTHLY BASIS, UPLOAD ANY NEW RECORDS, UNLESS THE COUNTY HAS~~
12 ~~ESTABLISHED A PROCESS FOR RESIDENTS TO UPLOAD THE RECORDS.~~

13 ~~(C) A STATE-CERTIFIED LABORATORY THAT CONDUCTS WATER QUALITY~~
14 ~~TESTING OF A PRIVATE WATER SUPPLY WELL SHALL, ON A REGULAR BASIS, UPLOAD~~
15 ~~THE RESULTS OF THE TESTING TO THE PORTAL UTILIZED BY THE DEPARTMENT~~
16 ~~UNDER SUBSECTION (A) OF THIS SECTION.~~

17 ~~9-4A-11.~~

18 ~~(A) (1) THE DEPARTMENT, IN CONSULTATION WITH THE MARYLAND~~
19 ~~DEPARTMENT OF HEALTH, SHALL ESTABLISH A WELL SURVEILLANCE PROGRAM~~
20 ~~UNDER WHICH THE APPROPRIATE UNIT OF COUNTY GOVERNMENT CONDUCTS FIELD~~
21 ~~SAMPLING AND SURVEYS OF PRIVATE WATER SUPPLY WELLS IN AND AROUND AREAS~~
22 ~~OF KNOWN OR SUSPECTED CONTAMINATION.~~

23 ~~(2) THE WELL SURVEILLANCE PROGRAM SHALL PRIORITIZE AREAS~~
24 ~~WITH A HIGH CONCENTRATION OF PRIVATE WATER SUPPLY WELLS.~~

25 ~~(B) (1) IF WELL SURVEILLANCE CONDUCTED UNDER THIS SECTION~~
26 ~~INDICATES THAT A PRIVATE WATER SUPPLY WELL OR ZIP CODE IS A HOTSPOT, THE~~
27 ~~DEPARTMENT SHALL PROVIDE NOTICE TO THE MARYLAND DEPARTMENT OF~~
28 ~~HEALTH.~~

29 ~~(2) THE MARYLAND DEPARTMENT OF HEALTH SHALL PROVIDE~~
30 ~~NOTICE OF A HOTSPOT TO THE OWNER OF AN IMPACTED WELL.~~

31 ~~9-4A-12.~~

~~ON OR BEFORE DECEMBER 1, 2022, AND EACH DECEMBER 1 THEREAFTER, THE DEPARTMENT SHALL REPORT TO THE GENERAL ASSEMBLY, IN ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE, ON THE DATA AND INFORMATION GATHERED UNDER THE PROGRAM, INCLUDING:~~

~~(1) THE TOTAL NUMBER OF WATER QUALITY TESTS CONDUCTED UNDER THE PROGRAM THAT DETECTED A SUBSTANCE THAT EXCEEDS THE MAXIMUM CONTAMINANT LEVEL FOR THAT SUBSTANCE, CATEGORIZED BY COUNTY AND ZIP CODE;~~

~~(2) THE NUMBER OF WATER QUALITY TESTS CONDUCTED WITHIN THE PREVIOUS 12 MONTH PERIOD THAT DETECTED A SUBSTANCE THAT EXCEEDS THE MAXIMUM CONTAMINANT LEVEL FOR THAT SUBSTANCE, CATEGORIZED BY COUNTY AND ZIP CODE; AND~~

~~(3) THE LOCATION OF HOTSPOTS OR OTHER AREAS OF KNOWN CONTAMINATION AND OTHER RELEVANT INFORMATION RELATED TO THE WELL SURVEILLANCE PROGRAM ESTABLISHED UNDER § 9-4A-11 OF THIS SUBTITLE.~~

~~9-4A-13.~~

~~THE DEPARTMENT MAY ADOPT REGULATIONS TO CARRY OUT THIS SUBTITLE.~~

~~9-4A-14. RESERVED.~~

~~9-4A-15. RESERVED.~~

~~PART IV. TESTING AND DISCLOSURE REQUIREMENTS FOR RENTAL PROPERTY.~~

~~9-4A-16. 9-4A-01.~~

(A) AN OWNER OF RESIDENTIAL RENTAL PROPERTY THAT IS SERVED BY A PRIVATE WATER SUPPLY WELL SHALL:

(1) PROVIDE FOR WATER QUALITY TESTING EVERY 3 YEARS; AND

(2) DISCLOSE TO A TENANT THE RESULTS OF THE WATER QUALITY TESTING; AND

(3) NOTIFY A TENANT:

(1) AFTER ANY WATER QUALITY TEST REQUIRED UNDER ITEM (1) OF THIS SUBSECTION IS COMPLETE; AND

1 (II) OF THE MOST RECENT WATER QUALITY TEST WHEN THEY
 2 SIGN A LEASE.

3 (B) (1) THE REQUIREMENTS OF THIS SUBSECTION APPLY WHEN A
 4 PRIVATE WATER SUPPLY WELL IS CONTAMINATED BY A SUBSTANCE THAT EXCEEDS:

5 (I) THE MAXIMUM CONTAMINANT LEVEL FOR THAT
 6 SUBSTANCE THAT IS SET BY THE U.S. ENVIRONMENTAL PROTECTION AGENCY FOR
 7 DRINKING WATER QUALITY; OR

8 (II) A HARMFUL LEVEL FOR THAT SUBSTANCE, AS DETERMINED
 9 BY THE DEPARTMENT.

10 (2) WHEN A WATER QUALITY TEST REVEALS A PRIVATE WATER
 11 SUPPLY WELL IS CONTAMINATED, THE OWNER OF A RESIDENTIAL RENTAL
 12 PROPERTY THAT IS SERVED BY THE WELL SHALL:

13 (I) NOTIFY THE DEPARTMENT AND THE LOCAL HEALTH
 14 DEPARTMENT ABOUT THE CONTAMINATION;

15 (II) PROVIDE AN APPROVED POTABLE WATER SUPPLY UNTIL
 16 THE CONTAMINATION IS PERMANENTLY REMEDIATED; AND

17 (III) WITHIN 60 DAYS OF THE DATE ON WHICH THE OWNER KNEW
 18 OF THE CONTAMINATION, RESOLVE THE CONTAMINATION.

19 ~~Article — Real Property~~

20 ~~10-711.~~

21 ~~A VENDOR OF RESIDENTIAL REAL PROPERTY THAT IS SERVED BY A PRIVATE~~
 22 ~~WATER SUPPLY WELL SHALL, ON OR BEFORE ENTERING A CONTRACT FOR THE SALE~~
 23 ~~OF THE PROPERTY, DELIVER TO EACH PURCHASER THE RESULTS OF A WATER~~
 24 ~~QUALITY TEST FOR THE WELL THAT:~~

25 ~~(1) WAS CONDUCTED BY A STATE-CERTIFIED LABORATORY WITHIN~~
 26 ~~THE PREVIOUS 12-MONTH PERIOD; AND~~

27 ~~(2) REPORTS, AT A MINIMUM:~~

28 ~~(I) TOTAL COLIFORM BACTERIA;~~

29 ~~(II) NITRATES;~~

30 ~~(III) TOTAL DISSOLVED SOLIDS;~~

1 ~~(IV) PH LEVELS; AND~~

2 ~~(V) IF AT OR ABOVE 4 PICOCURIES PER LITER, RADON.~~

3 ~~Article Tax Property~~

4 ~~13-201.~~

5 ~~In this subtitle, "transfer tax":~~

6 ~~(1) means the tax imposed under this subtitle; AND~~

7 ~~(2) INCLUDES THE SPECIAL TRANSFER TAX IMPOSED UNDER §~~
8 ~~13-202(B) OF THIS SUBTITLE.~~

9 ~~13-202.~~

10 ~~(A) Except as otherwise provided in this subtitle, a transfer tax is imposed on an~~
11 ~~instrument of writing:~~

12 ~~(1) recorded with the clerk of the circuit court for a county; or~~

13 ~~(2) filed with the Department and described in § 12-103(d) of this article.~~

14 ~~(B) IN ADDITION TO THE TAX IMPOSED UNDER SUBSECTION (A) OF THIS~~
15 ~~SECTION, A SPECIAL TRANSFER TAX IS IMPOSED ON AN INSTRUMENT OF WRITING:~~

16 ~~(1) TO CONVEY TITLE TO, OR A LEASEHOLD INTEREST IN,~~
17 ~~RESIDENTIAL REAL PROPERTY SERVED BY A PRIVATE WATER SUPPLY WELL; AND~~

18 ~~(2) RECORDED WITH THE CLERK OF THE CIRCUIT COURT FOR A~~
19 ~~COUNTY.~~

20 ~~13-203.~~

21 ~~(a) (1) (I) Except as provided in subsections (a-1) and (b) of this section,~~
22 ~~the rate of the transfer tax IMPOSED UNDER § 13-202(A) OF THIS SUBTITLE is 0.5% of~~
23 ~~the consideration payable for the instrument of writing.~~

24 ~~(II) THE RATE OF THE SPECIAL TRANSFER TAX IMPOSED UNDER~~
25 ~~§ 13-202(B) OF THIS SUBTITLE IS 0.0231% OF THE CONSIDERATION PAYABLE FOR~~
26 ~~THE INSTRUMENT OF WRITING.~~

27 ~~(2) The consideration:~~

1 (i) ~~includes the amount of any mortgage or deed of trust assumed~~
2 ~~by the grantee; and~~

3 (ii) ~~subject to item (i) of this paragraph, includes only the amount~~
4 ~~paid or delivered in return for the sale of the property and does not include the amount of~~
5 ~~any debt forgiven or no longer secured by a mortgage or deed of trust on the property.~~

6 ~~13-204.1.~~

7 ~~(A) AN INSTRUMENT OF WRITING THAT CONVEYS TITLE TO, OR A~~
8 ~~LEASEHOLD INTEREST IN, RESIDENTIAL REAL PROPERTY SERVED BY A PRIVATE~~
9 ~~WATER SUPPLY WELL SHALL BE ACCOMPANIED BY A STATEMENT UNDER OATH~~
10 ~~ATTESTING TO THE FACT THAT THE PROPERTY IS RESIDENTIAL PROPERTY SERVED~~
11 ~~BY A PRIVATE WATER SUPPLY WELL.~~

12 ~~(B) THE STATEMENT REQUIRED UNDER THIS SECTION SHALL BE SIGNED BY~~
13 ~~A PARTY TO THE INSTRUMENT OR BY AN AGENT OF A PARTY.~~

14 ~~13-200.~~

15 (a) (1) ~~Before any other distribution under this section, in any fiscal year that~~
16 ~~bonds secured by a pledge of the State transfer tax are outstanding, the revenue from the~~
17 ~~transfer tax shall be used to pay, as and when due, the principal of and interest on the~~
18 ~~bonds.~~

19 (2) ~~The Department shall deduct the cost of administering the transfer tax~~
20 ~~from the taxes collected under this title and credit those revenues to the fund established~~
21 ~~under § 1-203.3 of the Corporations and Associations Article.~~

22 ~~(3) THE DEPARTMENT SHALL DEDUCT ALL SPECIAL TRANSFER TAX~~
23 ~~REVENUE FROM THE TAXES COLLECTED UNDER § 13-203(A)(1)(H) OF THIS~~
24 ~~SUBTITLE AND CREDIT THOSE REVENUES TO THE PRIVATE WELL SAFETY FUND~~
25 ~~ESTABLISHED UNDER § 9-4A-05 OF THE ENVIRONMENT ARTICLE.~~

26 ~~[(3)] (4) Except as provided in paragraph [(4)] (5) of this subsection, after~~
27 ~~deducting the revenues required under paragraphs (1) [and], (2), AND (3) of this~~
28 ~~subsection, the revenue from transfer tax is payable to the Comptroller for deposit in a~~
29 ~~special fund.~~

30 ~~[(4)] (5) In any fiscal year in which transfer tax revenue is used to pay~~
31 ~~debt service on outstanding bonds under paragraph (1) of this subsection, the distribution~~
32 ~~of revenues in the special fund under this section and as specified in § 5-903(a)(2)(i)1A of~~
33 ~~the Natural Resources Article, for State land acquisition, or to the Agricultural Land~~
34 ~~Preservation Fund to the extent any debt service is attributable to that Fund, shall be~~
35 ~~reduced by an amount equal to the debt service for the fiscal year.~~

1 ~~SECTION 2. AND BE IT FURTHER ENACTED, That:~~

2 ~~(a) The Department of the Environment shall engage in outreach activities to~~
 3 ~~provide information on the Private Well Safety Program established under Title 9, Subtitle~~
 4 ~~4A of the Environment Article, as enacted by Section 1 of this Act, including:~~

5 ~~(1) incorporating information about the Program in communications with~~
 6 ~~other public health outreach programs administered by the Department, including any~~
 7 ~~information the Department has published on its website related to private water supply~~
 8 ~~wells; and~~

9 ~~(2) publishing a Well Owner Handbook on the Department's website and~~
 10 ~~in print.~~

11 ~~(b) In conducting an outreach activity under this section or Section 1 of this Act,~~
 12 ~~the Department and a county shall:~~

13 ~~(1) provide information to research and medical communities, realtor~~
 14 ~~associations, community-based organizations, schools, local public health agencies, and~~
 15 ~~any other relevant sector; and~~

16 ~~(2) ensure information is provided in a manner that accommodates~~
 17 ~~residents of a community who:~~

18 ~~(i) lack access to the Internet, including by publishing notices in a~~
 19 ~~newspaper commonly circulated in the community;~~

20 ~~(ii) are limited English proficient; or~~

21 ~~(iii) have a disability.~~

22 ~~SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect~~
 23 ~~July 1, 2021.~~

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.