

SENATE BILL 575

F1, J1

2lr2515
CF 2lr2429

By: **Senator Klausmeier**

Introduced and read first time: February 2, 2022

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Public Schools – Mold Assessment and Remediation**

3 FOR the purpose of requiring the State Department of Education, in consultation with the
4 Maryland Department of Health and the Department of General Services, to adopt
5 regulations on or before a certain date establishing uniform standards for mold
6 assessment and remediation in public schools, including requiring each county board
7 of education to establish a process for reporting and assessing potential mold in a
8 public school and remediating mold identified during a mold assessment; requiring
9 a county board and the State Department of Education, on receipt of the results of a
10 mold assessment, to post the results online in a certain manner; and generally
11 relating to mold assessment and remediation in public schools.

12 BY adding to
13 Article – Education
14 Section 7–418
15 Annotated Code of Maryland
16 (2018 Replacement Volume and 2021 Supplement)

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

19 **Article – Education**

20 **7–418.**

21 **(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS**
22 **INDICATED.**

23 **(2) “MOLD” MEANS A FORM OF MULTICELLULAR FUNGI THAT LIVES:**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (I) ON PLANT OR ANIMAL MATTER; OR

2 (II) IN AN INDOOR ENVIRONMENT.

3 (3) "MOLD ASSESSMENT" MEANS:

4 (I) AN INSPECTION, AN INVESTIGATION, OR A SURVEY OF A
5 PUBLIC SCHOOL TO PROVIDE INFORMATION TO THE COUNTY BOARD REGARDING
6 THE PRESENCE, IDENTIFICATION, OR EVALUATION OF MOLD AT THE SCHOOL;

7 (II) THE DEVELOPMENT OF A MOLD MANAGEMENT PLAN; OR

8 (III) THE COLLECTION OR ANALYSIS OF A MOLD SAMPLE.

9 (4) "MOLD REMEDIATION" MEANS:

10 (I) REMOVING, CLEANING, SANITIZING, DEMOLISHING, OR ANY
11 OTHER TREATMENT PERFORMED TO ADDRESS MOLD; OR

12 (II) ABATEMENT OF THE UNDERLYING CAUSE OF MOLD.

13 (B) (1) ON OR BEFORE JUNE 1, 2023, THE DEPARTMENT, IN
14 CONSULTATION WITH THE MARYLAND DEPARTMENT OF HEALTH AND THE
15 DEPARTMENT OF GENERAL SERVICES, SHALL ADOPT REGULATIONS ESTABLISHING
16 UNIFORM STANDARDS FOR MOLD ASSESSMENT AND REMEDIATION IN PUBLIC
17 SCHOOLS.

18 (2) THE REGULATIONS ADOPTED UNDER THIS SUBSECTION SHALL:

19 (I) ESTABLISH STANDARDS FOR:

20 1. IDENTIFYING AND EVALUATING THE PRESENCE OF
21 MOLD, INCLUDING VISIBLE MOLD INSPECTIONS AND TESTING; AND

22 2. MOLD REMEDIATION IN ACCORDANCE WITH THE U.S.
23 ENVIRONMENTAL PROTECTION AGENCY'S 2008 MOLD REMEDIATION IN SCHOOLS
24 AND COMMERCIAL BUILDINGS GUIDELINE AS REVISED AND UPDATED; AND

25 (II) REQUIRE EACH COUNTY BOARD TO:

26 1. ESTABLISH A FORMAL PROCESS FOR REPORTING
27 POTENTIAL MOLD IN A PUBLIC SCHOOL;

1 **2. AS SOON AS PRACTICABLE AFTER RECEIVING A**
2 **REPORT OF POTENTIAL MOLD IN A PUBLIC SCHOOL, HIRE A PROFESSIONAL**
3 **CERTIFIED TO PERFORM MOLD ASSESSMENTS TO CONDUCT A VISUAL INSPECTION**
4 **OF THE AREA WITH POTENTIAL MOLD;**

5 **3. REMEDIATE ANY MOLD IDENTIFIED IN A MOLD**
6 **ASSESSMENT REQUIRED UNDER ITEM 2 OF THIS ITEM; AND**

7 **4. PAY THE COSTS OF THE MOLD ASSESSMENTS AND**
8 **MOLD REMEDIATION REQUIRED ITEMS 2 AND 3 OF THIS ITEM.**

9 **(C) (1) ON RECEIPT OF THE RESULTS OF A MOLD ASSESSMENT, A COUNTY**
10 **BOARD SHALL:**

11 **(I) POST THE RESULTS ON ITS WEBSITE; AND**

12 **(II) SUBMIT THE RESULTS TO THE DEPARTMENT.**

13 **(2) ON RECEIPT OF THE RESULTS OF A MOLD ASSESSMENT FROM A**
14 **COUNTY BOARD UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE DEPARTMENT**
15 **SHALL POST THE RESULTS ON ITS WEBSITE.**

16 **(3) THE RESULTS POSTED UNDER PARAGRAPHS (1) AND (2) OF THIS**
17 **SUBSECTION SHALL BE:**

18 **(I) WRITTEN IN A MANNER THAT IS CLEAR AND EASY FOR THE**
19 **PUBLIC TO UNDERSTAND; AND**

20 **(II) POSTED IN A CONSPICUOUS LOCATION THAT IS EASY FOR**
21 **THE PUBLIC TO FIND AND ACCESS.**

22 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
23 1, 2022.