

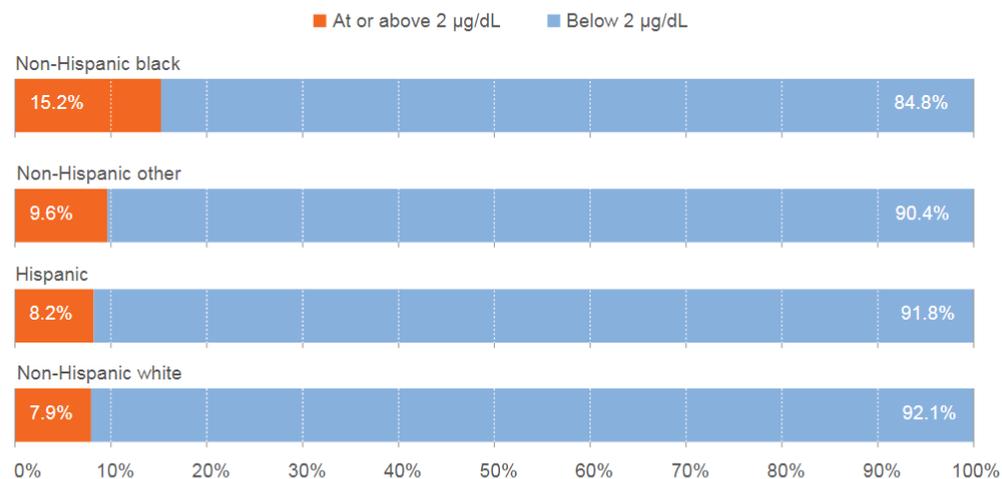


To: Chair Barve and members of the Environment and Transportation Committee  
From: Shamoyia Gardiner, Education Policy Director  
Jamesha Caldwell, Education Policy Legislative Intern  
Re: House Bill 879: Baltimore City – Civil Action – Liability of Toxic Substance Manufacturers  
Date: March 10, 2020  
Position: Support

Children with elevated levels of lead exposure are at a far greater risk of experiencing detrimental health conditions and disabilities related that exposure. The Centers for Disease Control (CDC) advises that even one microgram per deciliter of lead is enough to lower an individual's IQ by several points. Sustained exposure to this neurotoxin allows lead to accumulate in the bloodstream, causing a host of negative impacts not limited to: irritability, mood disorders, appetite loss, and developmental delays.<sup>1</sup> Lead poisoning has also been linked to violent crime.<sup>2</sup> In Maryland, Black children are more likely to be exposed to lead than other racial groups, and therefore more likely to suffer the negative impacts described above.

### Black children are more likely to have higher blood lead levels

Share of children ages 1 to 5 with blood lead levels below and above 2 µg/dL by race and ethnicity, 2011-2014



Source: Altarum analysis of National Center for Health Statistics, "National Health and Nutrition Examination Survey 2011-2012," accessed May 26, 2017, [link](#); and National Center for Health Statistics, "National Health and Nutrition Examination Survey 2013-2014," accessed May 26, 2017, [link](#)

<sup>1</sup> Centers for Disease Control.

<sup>2</sup> Zahran et. al. *Four Phases of the Flint Water Crisis: Evidence from Blood Lead Levels in Children*. August, 2017.

Over time, these negative impacts morph into adverse educational outcomes which can ultimately result in punitive discipline and the criminalization of students. Though HB 879 does not allow for suits to be brought against manufacturers on the basis of personal injury/direct health impacts, it does provide recourse for the residents of Baltimore City who also suffer housing and other economic impacts. By addressing housing instability and the prevalence of concentrations of poverty, HB 879 will mitigate some of the root causes of the negative outcomes we see for children.

HB 879 is critical to establish and maintain accountability for manufacturers through the changes proposed for liability standards. Tenants, particularly those with young children, deserve to live in residences without the fear of contact with any hazardous results of lead presence in a property. Until we get there, however, providing residents with recourse is the closest we can get to achieving justice.

HB 879 will ensure that manufacturers of toxic substances are able to be held accountable for the wide array of negative impacts their products have on children and families across the state. For the reasons above, **ACY strongly urges a favorable report on this bill.**