

HOUSE BILL 1290

P1, P3

7lr2103

By: **Delegates Lafferty, Fraser–Hidalgo, Healey, Hill, Jalisi, Kelly, McCray, Platt, and K. Young**

Introduced and read first time: February 10, 2017

Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **State Government – Management of Public Buildings – Indoor Air Quality**

3 FOR the purpose of requiring the Secretary of Labor, Licensing, and Regulation, in
4 consultation with the Department of the Environment, to adopt regulations
5 establishing certain air quality standards and a schedule for certain testing;
6 requiring the Secretary to make certain recommendations and establish a certain
7 timetable; requiring the Department of General Services and the Department of
8 Transportation to submit certain air quality reports relating to each public building
9 maintained by the respective department; requiring that the air quality reports
10 include a certain plan and certain information; requiring the Department of General
11 Services and the Department of Transportation to provide certain report
12 supplements to the Secretary, under certain circumstances, on or before a certain
13 day of certain years; requiring the Department of General Services and the
14 Department of Transportation to conform certain procedures to regulations
15 established by the Secretary; requiring the Secretary to provide certain notice to the
16 Department of General Services and the Department of Transportation within a
17 certain period of time; requiring the Department of General Services and the
18 Department of Transportation to revise and resubmit an air quality report or report
19 supplement within a certain period of time; authorizing certain persons to obtain a
20 copy of an air quality report or a report supplement for a certain building; requiring
21 the Department of General Services and the Department of Transportation to send
22 to a certain person a certain copy within a certain period of time; defining certain
23 terms; requiring the Secretary to adopt certain regulations on or before a certain
24 date; and generally relating to the management of public buildings.

25 BY adding to

26 Article – State Government

27 Section 10–1601 to be under the new subtitle “Subtitle 16. Air Quality in State Public
28 Buildings”

29 Annotated Code of Maryland

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(2014 Replacement Volume and 2016 Supplement)

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

Article – State Government

SUBTITLE 16. AIR QUALITY IN STATE PUBLIC BUILDINGS.

10–1601.

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

**(2) “HVAC” MEANS HEATING, VENTILATING, AND AIR
CONDITIONING.**

**(3) “PUBLIC BUILDING” MEANS ANY BUILDING, STRUCTURE, OR
IMPROVED AREA THAT IS:**

(I) OWNED BY THE STATE; OR

(II) CONSTRUCTED FOR LEASE BY THE STATE.

**(4) “SECRETARY” MEANS THE SECRETARY OF LABOR, LICENSING,
AND REGULATION.**

(B) THIS SECTION APPLIES ONLY TO:

(1) THE DEPARTMENT OF GENERAL SERVICES; AND

(2) THE DEPARTMENT OF TRANSPORTATION.

**(C) THE SECRETARY, IN CONSULTATION WITH THE DEPARTMENT OF THE
ENVIRONMENT, SHALL ADOPT REGULATIONS THAT:**

**(1) ESTABLISH COMPREHENSIVE INDOOR AIR QUALITY STANDARDS
FOR PUBLIC BUILDINGS; AND**

**(2) ESTABLISH A SCHEDULE FOR THE REGULAR TESTING OF INDOOR
AIR QUALITY IN PUBLIC BUILDINGS.**

(D) THE SECRETARY SHALL:

1 **(1) MAKE RECOMMENDATIONS TO THE DEPARTMENT FOR**
2 **COST-EFFECTIVE SOLUTIONS TO BRING PUBLIC BUILDINGS MAINTAINED BY THE**
3 **DEPARTMENT INTO COMPLIANCE WITH THE AIR QUALITY STANDARDS ESTABLISHED**
4 **BY THE SECRETARY; AND**

5 **(2) ESTABLISH A TIMETABLE FOR THE DEPARTMENT TO BRING**
6 **PUBLIC BUILDINGS UNDER THE DEPARTMENT'S MANAGEMENT INTO COMPLIANCE**
7 **WITH THE AIR QUALITY STANDARDS ESTABLISHED BY THE SECRETARY.**

8 **(E) (1) (I) THE DEPARTMENT SHALL SUBMIT TO THE SECRETARY AN**
9 **AIR QUALITY REPORT FOR EACH PUBLIC BUILDING THAT THE DEPARTMENT**
10 **MAINTAINS.**

11 **(II) AN AIR QUALITY REPORT SHALL BE SUBMITTED:**

12 **1. IN THE CASE OF EACH PUBLIC BUILDING THAT THE**
13 **DEPARTMENT MAINTAINS AS OF DECEMBER 31, 2018, ON OR BEFORE FEBRUARY 1,**
14 **2019; OR**

15 **2. IN THE CASE OF A PUBLIC BUILDING THAT THE**
16 **DEPARTMENT BEGAN MAINTAINING AFTER DECEMBER 31, 2018, ON OR BEFORE**
17 **FEBRUARY 1 IN THE YEAR IMMEDIATELY FOLLOWING THE CALENDAR YEAR IN**
18 **WHICH THE DEPARTMENT BEGAN MAINTAINING THE PUBLIC BUILDING.**

19 **(2) EACH AIR QUALITY REPORT SHALL:**

20 **(I) PROVIDE A PLAN THAT THE DEPARTMENT WILL FOLLOW,**
21 **SUBJECT TO APPROVAL BY THE SECRETARY, TO BRING THE PUBLIC BUILDING FOR**
22 **WHICH THE REPORT RELATES INTO COMPLIANCE WITH THE AIR QUALITY**
23 **STANDARDS ESTABLISHED BY THE SECRETARY; AND**

24 **(II) INCLUDE, AS APPLICABLE, THE FOLLOWING INFORMATION:**

25 **1. A ROUTINE PREVENTIVE MAINTENANCE SCHEDULE IN**
26 **ACCORDANCE WITH THE HVAC SYSTEM MANUFACTURER'S RECOMMENDATIONS;**

27 **2. A ROUTINE INSPECTION SCHEDULE OF THE FACADE,**
28 **FOUNDATION, ROOFING, AND ALL SYSTEMS OF THE PUBLIC BUILDING FOR**
29 **MOISTURE OR CONTAMINANT INTRUSION;**

30 **3. WRITTEN PROCEDURES THAT THE DEPARTMENT**
31 **WILL USE TO CHECK, REPAIR, AND RECALIBRATE THE PUBLIC BUILDING'S HVAC**

1 SYSTEM IN A TIMELY MANNER WHEN CARBON DIOXIDE LEVELS IN THE BUILDING ARE
2 FOUND TO EXCEED 1,000 PARTS PER MILLION;

3 4. WRITTEN PROCEDURES THAT THE DEPARTMENT
4 WILL USE TO CHECK, REPAIR, AND RECALIBRATE THE PUBLIC BUILDING'S HVAC
5 SYSTEM IN A TIMELY MANNER WHEN TEMPERATURES INSIDE THE PUBLIC BUILDING
6 ARE FOUND TO BE BELOW 68 DEGREES FAHRENHEIT OR ABOVE 79 DEGREES
7 FAHRENHEIT;

8 5. WRITTEN PROCEDURES THAT THE DEPARTMENT
9 WILL USE TO CHECK, REPAIR, AND MAINTAIN THE OPERATION OF WINDOWS, DOORS,
10 VENTS, STACKS, AND OTHER PORTALS USED FOR NATURAL VENTILATION OF THE
11 PUBLIC BUILDING IF THE BUILDING IS WITHOUT MECHANICAL VENTILATION;

12 6. WRITTEN PROCEDURES THAT THE DEPARTMENT
13 WILL USE TO PROMPTLY INVESTIGATE ALL EMPLOYEE COMPLAINTS OF SIGNS OR
14 SYMPTOMS THAT MAY BE ASSOCIATED WITH BUILDING-RELATED ILLNESS;

15 7. WRITTEN PROCEDURES THAT THE DEPARTMENT
16 WILL USE TO CONTROL INDOOR AIR CONTAMINANTS, INCLUDING MICROBIAL
17 CONTAMINATION, IN THE PUBLIC BUILDING;

18 8. WRITTEN PROCEDURES THAT THE DEPARTMENT
19 WILL USE TO REMEDIATE THE OCCURRENCE OF WET, DAMP, OR MOIST CONDITIONS
20 IN THE PUBLIC BUILDING WITHIN 48 HOURS AFTER THE CONDITION IS DISCOVERED;

21 9. WRITTEN PROCEDURES THAT THE DEPARTMENT
22 WILL USE TO PROTECT INDIVIDUALS WHO MAY BE IN OR AROUND THE PUBLIC
23 BUILDING FROM EXPOSURE TO DUST OR OTHER CONTAMINANTS RELATED TO
24 REPAIRS, RENOVATIONS, AND NEW CONSTRUCTION DONE IN OR AROUND THE
25 PUBLIC BUILDING;

26 10. WRITTEN PROCEDURES THAT THE DEPARTMENT
27 WILL USE TO PROVIDE REASONABLE ADVANCE NOTICE TO INDIVIDUALS WHO WORK
28 IN THE PUBLIC BUILDING OF ACTIVITIES THAT MAY EXPOSE THOSE INDIVIDUALS TO
29 AIR CONTAMINANTS, INCLUDING PEST MANAGEMENT ACTIVITIES AND CLEANING
30 ACTIVITIES;

31 11. WRITTEN TRAINING PROCEDURES THAT THE
32 DEPARTMENT WILL USE TO TRAIN DEPARTMENT EMPLOYEES WHO ARE
33 RESPONSIBLE FOR THE OPERATION AND MAINTENANCE OF THE PUBLIC BUILDING
34 REGARDING INDOOR AIR QUALITY HAZARDS; AND

1 12. A RECORD OF ALL MAINTENANCE AND NEW
2 CONSTRUCTION PERFORMED AT THE PUBLIC BUILDING DURING THE CALENDAR
3 YEAR IMMEDIATELY PRECEDING THE YEAR IN WHICH THE REPORT IS BEING
4 SUBMITTED.

5 (3) IF THE DEPARTMENT HAS SUBMITTED AN AIR QUALITY REPORT
6 FOR A PUBLIC BUILDING UNDER PARAGRAPH (1) OF THIS SUBSECTION, ON OR
7 BEFORE FEBRUARY 1 EACH FOLLOWING YEAR THE DEPARTMENT SHALL SUBMIT TO
8 THE SECRETARY A WRITTEN REPORT SUPPLEMENT FOR THE PUBLIC BUILDING
9 THAT INCLUDES:

10 (I) ANY CHANGES THAT THE DEPARTMENT INTENDS TO MAKE
11 TO THE SCHEDULES AND PROCEDURES CONTAINED IN THE AIR QUALITY REPORT;
12 AND

13 (II) THE TIME, LOCATION, AND NATURE OF ANY MAINTENANCE
14 OR NEW CONSTRUCTION THAT HAS BEEN PERFORMED AT THE PUBLIC BUILDING IN
15 THE PREVIOUS CALENDAR YEAR.

16 (F) (1) WITHIN 90 DAYS AFTER THE DEPARTMENT SUBMITS THE AIR
17 QUALITY REPORT UNDER SUBSECTION (E)(1) OF THIS SECTION OR THE REPORT
18 SUPPLEMENT UNDER SUBSECTION (E)(3) OF THIS SECTION, THE SECRETARY SHALL:

19 (I) AFTER DETERMINING THAT THE SCHEDULES AND
20 PROCEDURES INCLUDED IN THE AIR QUALITY REPORT OR REPORT SUPPLEMENT
21 CONFORM TO THE STANDARDS ESTABLISHED BY THE SECRETARY, PROVIDE NOTICE
22 TO THE DEPARTMENT THAT THE SCHEDULES AND PROCEDURES MAY BE ADOPTED
23 BY THE DEPARTMENT FOR IMPLEMENTATION; OR

24 (II) AFTER DETERMINING THAT THE SCHEDULES AND
25 PROCEDURES INCLUDED IN THE AIR QUALITY REPORT OR REPORT SUPPLEMENT DO
26 NOT CONFORM TO THE STANDARDS ESTABLISHED BY THE SECRETARY, PROVIDE
27 NOTICE OF THE NONCONFORMITY TO THE DEPARTMENT.

28 (2) WITHIN 45 DAYS AFTER RECEIVING THE NOTICE PROVIDED
29 UNDER PARAGRAPH (1)(II) OF THIS SUBSECTION, THE DEPARTMENT SHALL REVISE
30 AND RESUBMIT THE AIR QUALITY REPORT OR REPORT SUPPLEMENT.

31 (G) (1) A CURRENT OR FORMER STATE EMPLOYEE OR CONTRACTOR MAY
32 REQUEST A COPY OF AN AIR QUALITY REPORT OR A REPORT SUPPLEMENT RELATING
33 TO A PUBLIC BUILDING IN WHICH THE EMPLOYEE OR CONTRACTOR HAS BEEN
34 EMPLOYED.

1 **(2) WITHIN 5 DAYS AFTER RECEIVING THE REQUEST, THE**
2 **DEPARTMENT SHALL SEND A PERSON WHO HAS MADE A REQUEST UNDER**
3 **PARAGRAPH (1) OF THIS SUBSECTION A COPY OF THE REQUESTED AIR QUALITY**
4 **REPORT OR REPORT SUPPLEMENT.**

5 SECTION 2. AND BE IT FURTHER ENACTED, That, on or before February 1,
6 2018, the Secretary of Labor, Licensing, and Regulation shall adopt the regulations
7 required under § 10-1601(c) of the State Government Article, as enacted by Section 1 of
8 this Act.

9 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
10 October 1, 2017.