

HOUSE BILL 1078

M3, P1

1lr2851

By: **Delegate Terrasa**

Introduced and read first time: February 5, 2021

Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **Attorney General – Climate Change Actions – Authorization**

3 FOR the purpose of authorizing the Attorney General to take certain actions to hold certain
4 entities accountable for certain conduct that has contributed to climate change;
5 authorizing the Attorney General to hire outside counsel on a certain basis to assist
6 with certain actions if the Attorney General makes a certain determination; stating
7 the intent of the General Assembly; and generally relating to the authority of the
8 Attorney General.

9 BY adding to
10 Article – Environment
11 Section 1–305
12 Annotated Code of Maryland
13 (2013 Replacement Volume and 2020 Supplement)

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

16 **Article – Environment**

17 **1–305.**

18 **(A) FOR THE PROTECTION OF THE HEALTH AND SAFETY OF THE STATE’S**
19 **CITIZENS AND ENVIRONMENT, IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT**
20 **BUSINESSES, CORPORATIONS, AND OTHER SIMILAR ENTITIES WHOSE TORTIOUS OR**
21 **OTHERWISE UNLAWFUL CONDUCT HAS CONTRIBUTED TO CLIMATE CHANGE BE**
22 **HELD ACCOUNTABLE FOR THE ASSOCIATED ENVIRONMENTAL AND OTHER HARMS**
23 **CAUSED, WHETHER THROUGH FRAUD, DECEPTION, OR ANY OTHER MECHANISM,**
24 **ACTION, INACTION, OR PRACTICE.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(B) THE ATTORNEY GENERAL MAY INVESTIGATE, COMMENCE, AND**
2 **PROSECUTE OR DEFEND ANY CIVIL OR CRIMINAL SUIT OR ACTION THAT HOLDS**
3 **ACCOUNTABLE A BUSINESS, CORPORATION, OR OTHER SIMILAR ENTITY WHOSE**
4 **TORTIOUS OR OTHERWISE UNLAWFUL CONDUCT HAS CONTRIBUTED TO CLIMATE**
5 **CHANGE THROUGH FRAUD, DECEPTION, OR ANY OTHER MECHANISM, ACTION,**
6 **INACTION, OR PRACTICE.**

7 **(C) THE ATTORNEY GENERAL MAY HIRE OUTSIDE COUNSEL ON A**
8 **CONTINGENCY FEE BASIS TO ASSIST WITH AN ACTION UNDER THIS SECTION IF THE**
9 **ATTORNEY GENERAL DETERMINES THAT HIRING OUTSIDE COUNSEL ON SUCH A**
10 **BASIS IS IN THE BEST INTEREST OF THE STATE.**

11 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
12 October 1, 2021.