

SENATE BILL 446

M3

1lr2404

By: **Senator West**

Introduced and read first time: January 20, 2021

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Department of the Environment – Supplemental Environmental Projects**
3 **Database**

4 FOR the purpose of requiring the Department of the Environment to create and maintain
5 a certain database of supplemental environmental projects; requiring the
6 Department to solicit input from certain communities in creating and maintaining
7 the database; requiring the Department to ensure that the scope and cost of a chosen
8 supplemental environmental project is commensurate with the scope and cost of a
9 violation before a violator undertakes the project; defining a certain term; and
10 generally relating to a supplemental environmental projects database.

11 BY adding to
12 Article – Environment
13 Section 1–305
14 Annotated Code of Maryland
15 (2013 Replacement Volume and 2020 Supplement)

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

18 **Article – Environment**
19 **1–305.**

20 (A) IN THIS SECTION, “SUPPLEMENTAL ENVIRONMENTAL PROJECT” MEANS
21 AN ENVIRONMENTALLY BENEFICIAL PROJECT OR ACTIVITY THAT IS NOT REQUIRED
22 BY LAW, BUT THAT AN ALLEGED VIOLATOR AGREES TO UNDERTAKE AS PART OF A
23 SETTLEMENT OR ENFORCEMENT ACTION.

24 (B) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, THE

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 DEPARTMENT SHALL CREATE AND MAINTAIN A DATABASE OF SUPPLEMENTAL
2 ENVIRONMENTAL PROJECTS FROM WHICH A PERSON THAT VIOLATES THIS ARTICLE
3 MAY CHOOSE TO UNDERTAKE.

4 (2) IN CREATING AND MAINTAINING THE DATABASE, THE
5 DEPARTMENT SHALL SOLICIT INPUT FROM COMMUNITIES IN THE STATE THAT ARE
6 MOST IMPACTED BY ENVIRONMENTAL JUSTICE ISSUES.

7 (C) BEFORE A VIOLATOR UNDERTAKES A SUPPLEMENTAL ENVIRONMENTAL
8 PROJECT, THE DEPARTMENT SHALL ENSURE THAT THE SCOPE AND COST OF THE
9 CHOSEN PROJECT IS COMMENSURATE WITH THE SCOPE AND COST OF THE
10 VIOLATION.

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