

# SENATE BILL 740

M3, M1

7lr1812  
CF 7lr1670

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By: **Senators Zirkin, Astle, Brochin, Currie, Feldman, Ferguson, Guzzone, Kagan, Kelley, King, Lee, Madaleno, Manno, McFadden, Muse, Nathan–Pulliam, Pinsky, Ramirez, Robinson, Rosapepe, Smith, Young, and Zucker**

Introduced and read first time: February 3, 2017

Assigned to: Education, Health, and Environmental Affairs

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## A BILL ENTITLED

AN ACT concerning

### **Oil and Natural Gas – Hydraulic Fracturing – Prohibition**

FOR the purpose of prohibiting a person from engaging in the hydraulic fracturing of a well for the exploration or production of oil or natural gas in the State; repealing a certain provision of law that requires the Department of the Environment to adopt certain regulations on or before a certain date; repealing a certain provision of law that prohibits the Department from issuing a permit to authorize the hydraulic fracturing of a well for the exploration or production of natural gas in the State until a certain date; defining a certain term; and generally relating to hydraulic fracturing for the exploration or production of oil and natural gas.

BY repealing and reenacting, with amendments,  
Article – Environment  
Section 14–107.1  
Annotated Code of Maryland  
(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 – Environment**

14–107.1.

(a) **[(1)]** In this section, “hydraulic fracturing” means a [drilling technique that expands existing fractures or creates new fractures in rock by injecting fluids, often a mixture of water and chemicals, sand, or other substances, and often under pressure, into

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



or underneath the surface of the rock for purposes that include well drilling for the exploration or production of natural gas.

(2) “Hydraulic fracturing” includes:

- (i) Fracking;
- (ii) Hydrofracking; and

(iii) Hydrofracturing] **STIMULATION TREATMENT PERFORMED ON OIL AND NATURAL GAS WELLS IN LOW-PERMEABILITY OIL OR NATURAL GAS RESERVOIRS THROUGH WHICH SPECIALLY ENGINEERED FLUIDS ARE PUMPED AT HIGH PRESSURE AND RATE INTO THE RESERVOIR INTERVAL TO BE TREATED, CAUSING FRACTURES TO OPEN.**

[(b) On or before October 1, 2016, the Department shall adopt regulations to provide for the hydraulic fracturing of a well for the exploration or production of natural gas in the State.

(c) Regulations adopted by the Department in accordance with subsection (b) of this section may not become effective until October 1, 2017.

(d) The Department may not issue a permit for the hydraulic fracturing of a well for the exploration or production of natural gas in the State until October 1, 2017.]

**(B) A PERSON MAY NOT ENGAGE IN THE HYDRAULIC FRACTURING OF A WELL FOR THE EXPLORATION OR PRODUCTION OF OIL OR NATURAL GAS IN THE STATE.**

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2017.