



## ANTHONY G. BROWN, MARYLAND ATTORNEY GENERAL

### **Senate Bill 680/House Bill 922 – State Government – Public Welfare Actions – Determinations and Settlements**

- The State has brought, and will continue to bring, large actions to seek penalties and remediation in statewide claims for injuries to the health, safety, environment, or welfare of the citizens of Maryland.
- As an example, the State's ongoing per- and polyfluoroalkyl substances ("PFAS") litigation seeks damages arising from toxic "forever" chemicals that may cause cancer and currently are difficult or impossible to destroy. Fourteen defendants with varying degrees of culpability have been named in these suits. The State is seeking damages including past and future testing and restoration of natural resources throughout Maryland where defendants' PFAS Products were transported, stored, used, handled, released, spilled, and/or disposed and, thus, likely caused PFAS contamination.
- Maryland law currently presents serious impediments to settlement of any case brought against a large number of defendants who are jointly responsible for an injury because it fails to account for the percentage of culpability of each defendant.
- This legislation will make Maryland law more consistent with federal law and the laws of many other states in the country by ensuring that defendants are responsible for their fair share of the harm.
- This legislation benefits smaller defendants in these statewide suits because it makes it easier for them to settle for an amount proportionate to their culpability, and thus avoid the cost of protracted and complex litigation.
- The legislation does not expand the authority of the Attorney General, but rather allows him to effectuate his authority more efficiently and effectively by settling statewide claims, avoiding protracted litigation costs, and bringing money into the State to help fund actions to remediate the harm to the citizens of Maryland.
- The harms being redressed in the types of cases covered by the legislation affect all Marylanders, including individuals in urban, suburban, and rural communities. These harms often have a disproportionate impact on communities that are already overburdened and underserved.
- ***This bill only applies to actions brought by the Attorney General***