SENATE BILL 446

By: Senator West
Introduced and read first time: January 20, 2021
Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

AN ACT concerning

Department of the Environment – Supplemental Environmental Projects
Database

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

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

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

Article – Environment

1–305.

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

(B) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, THE
DEPARTMENT SHALL CREATE AND MAINTAIN A DATABASE OF SUPPLEMENTAL ENVIRONMENTAL PROJECTS FROM WHICH A PERSON THAT VIOLATES THIS ARTICLE MAY CHOOSE TO UNDERTAKE.

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

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

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