

# HOUSE BILL 706

E4, M3  
SB 822/21 – EHE

2lr2034  
CF 2lr2014

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By: **Delegates Sample–Hughes and Watson**  
Introduced and read first time: January 31, 2022  
Assigned to: Environment and Transportation

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## A BILL ENTITLED

1 AN ACT concerning

2 **Maryland Department of Emergency Management – Office of Resilience**

3 FOR the purpose of establishing the Office of Resilience in the Maryland Department of  
4 Emergency Management; requiring the Director of the Maryland Department of  
5 Emergency Management to appoint a Chief Resilience Officer to direct the Office of  
6 Resilience; requiring the Department of Housing and Community Development, the  
7 Maryland Department of the Environment, the Maryland Environmental Service,  
8 the Maryland Department of Transportation, the Maryland Agricultural  
9 Resource–Based Industry Development Corporation, the Department of Natural  
10 Resources, the Adaptation and Resiliency Workgroup of the Maryland Commission  
11 on Climate Change, and the University of Maryland Center for Environmental  
12 Science to appoint liaisons to the Office of Resilience for certain purposes; and  
13 generally relating to the Office of Resilience in the Department of Emergency  
14 Management.

15 BY repealing and reenacting, without amendments,  
16 Article – Public Safety  
17 Section 14–101(a) through (c) and (g)  
18 Annotated Code of Maryland  
19 (2018 Replacement Volume and 2021 Supplement)

20 BY adding to  
21 Article – Public Safety  
22 Section 14–1201 through 14–1204 to be under the new subtitle “Subtitle 12. Office  
23 of Resilience”  
24 Annotated Code of Maryland  
25 (2018 Replacement Volume and 2021 Supplement)

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

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.  
[Brackets] indicate matter deleted from existing law.



1 **Article – Public Safety**

2 14–101.

3 (a) In this title the following words have the meanings indicated.

4 (b) “Department” means the Maryland Department of Emergency Management.

5 (c) “Emergency” means the imminent threat or occurrence of severe or  
6 widespread loss of life, injury, or other health impacts, property damage or destruction,  
7 social or economic disruption, or environmental degradation from natural, technological, or  
8 human-made causes.

9 (g) “Secretary” means the Secretary of Emergency Management.

10 **SUBTITLE 12. OFFICE OF RESILIENCE.**11 **14–1201.**12 **THERE IS AN OFFICE OF RESILIENCE IN THE MARYLAND DEPARTMENT OF**  
13 **EMERGENCY MANAGEMENT.**14 **14–1202.**15 **(A) THE HEAD OF THE OFFICE OF RESILIENCE IS THE CHIEF RESILIENCE**  
16 **OFFICER, WHO SHALL BE APPOINTED BY AND SERVE AT THE PLEASURE OF THE**  
17 **SECRETARY.**18 **(B) THE CHIEF RESILIENCE OFFICER IS IN THE EXECUTIVE SERVICE OF**  
19 **THE STATE PERSONNEL MANAGEMENT SYSTEM AND IS ENTITLED TO THE SALARY**  
20 **PROVIDED IN THE STATE BUDGET.**21 **(C) THE CHIEF RESILIENCE OFFICER IS RESPONSIBLE FOR COORDINATING**  
22 **STATE AND LOCAL EFFORTS TO BUILD RESILIENCE TO RISKS IDENTIFIED IN THE**  
23 **MARYLAND HAZARD MITIGATION PLAN.**24 **(D) THE DUTIES OF THE CHIEF RESILIENCE OFFICER INCLUDE:**25 **(1) COORDINATING STATE AND LOCAL EFFORTS TO BUILD**  
26 **RESILIENCE TO RISKS IDENTIFIED IN THE MARYLAND HAZARD MITIGATION PLAN;**27 **(2) DEVELOPING A STATE RESILIENCE STRATEGY AND ASSISTING**  
28 **LOCAL AGENCIES IN THEIR EFFORTS TO PREPARE AND IMPLEMENT RESILIENCE**  
29 **STRATEGIES;**

1           **(3) COORDINATING ACROSS STATE AND LOCAL AGENCIES TO**  
2 **PREPARE AND IMPLEMENT RESILIENCE STRATEGIES;**

3           **(4) IDENTIFYING, SECURING, AND ASSISTING IN ACCESSING**  
4 **FEDERAL, STATE, AND PRIVATE FUNDING STREAMS AND TECHNICAL ASSISTANCE**  
5 **THAT CAN BE USED TO SUPPORT STATE AND LOCAL RESILIENCE EFFORTS;**

6           **(5) WORKING WITH BUSINESS LEADERS FROM INDUSTRIES**  
7 **VULNERABLE TO THE RISKS TO IDENTIFY BEST PRACTICES FOR PREPARING FOR**  
8 **AND RESPONDING TO RISKS; AND**

9           **(6) ENSURING THAT INVESTMENTS PRIORITIZE VULNERABLE**  
10 **COMMUNITIES AND ENVIRONMENTAL JUSTICE.**

11 **14-1203.**

12           **(A) THE OFFICE OF RESILIENCE SHALL:**

13           **(1) COORDINATE AND ADMINISTER FEDERAL PREVENTION,**  
14 **PROTECTION, MITIGATION, AND RECOVERY-FOCUSED PROGRAMS;**

15           **(2) ADMINISTER STATE MITIGATION GRANTS AND LOANS;**

16           **(3) DEVELOP FLOOD RISK ASSESSMENT TOOLS FOR USE BY**  
17 **PROGRAMS AND PROJECTS STATEWIDE;**

18           **(4) ADMINISTER OTHER PROGRAMS AS DIRECTED BY THE**  
19 **SECRETARY AND THE CHIEF RESILIENCE OFFICER;**

20           **(5) PRIORITIZE VULNERABLE COMMUNITIES AND ENSURE THAT**  
21 **INVESTMENTS ARE MADE WITH A FOCUS ON ENVIRONMENTAL JUSTICE; AND**

22           **(6) CONDUCT OUTREACH AND PROVIDE TECHNICAL ASSISTANCE TO**  
23 **LOCAL JURISDICTIONS TO SUPPORT THE DEVELOPMENT OF LOCAL RESILIENCY**  
24 **PLANS.**

25           **(B) (1) ON OR BEFORE JANUARY 1, 2024, AND EACH JANUARY 1**  
26 **THEREAFTER, THE OFFICE OF RESILIENCE SHALL REPORT TO THE STATE**  
27 **TREASURER, THE GOVERNOR, AND, IN ACCORDANCE WITH § 2-1257 OF THE STATE**  
28 **GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY ON THE CURRENT STATUS AND**  
29 **EFFICACY OF STATE AND LOCAL RESILIENCY EFFORTS.**

1           **(2) THE REPORT SHALL INCLUDE:**

2                   **(I) A SUMMARY OF THE ACTIVITY OF THE OFFICE OF**  
3 **RESILIENCE DURING THE PREVIOUS CALENDAR YEAR;**

4                   **(II) RECOMMENDATIONS BASED ON INFORMATION GATHERED**  
5 **BY THE MARYLAND DEPARTMENT OF THE ENVIRONMENT AND THE UNIVERSITY OF**  
6 **MARYLAND CENTER FOR ENVIRONMENTAL SCIENCE; AND**

7                   **(III) PLANS TO INCREASE RESILIENCY IN THE STATE FOR THE**  
8 **NEXT YEAR, 2 YEARS, 5 YEARS, AND 10 YEARS, INCLUDING POTENTIAL FUNDING**  
9 **SOURCES FOR THE PLANS.**

10 **14-1204.**

11           **(A) WITH SUPPORT FROM STATE AGENCIES AND STATE ENTITIES AS**  
12 **PROVIDED UNDER SUBSECTION (B) OF THIS SECTION, THE OFFICE OF RESILIENCE**  
13 **SHALL COORDINATE STRATEGIES AND IMPLEMENT STATE PROGRAMS TO MEET THE**  
14 **FOLLOWING GOALS:**

15                   **(1) ENSURING RAPID STATE SUPPORT FOLLOWING EMERGENCIES;**

16                   **(2) ELIMINATING FLOODING IN RESIDENTIAL AREAS;**

17                   **(3) PROMOTING CLIMATE-INFORMED INVESTMENTS;**

18                   **(4) INFORMING AND EDUCATING THE PUBLIC ON EMERGENCY**  
19 **SAFETY AND RISKS;**

20                   **(5) BUILDING NEIGHBORHOOD RESILIENCY AND**  
21 **DE-CONCENTRATING POVERTY;**

22                   **(6) DESIGNING COASTAL RESILIENCE;**

23                   **(7) ADAPTING AGRICULTURAL PRACTICES TO RESPOND TO**  
24 **INCREASING PRECIPITATION, TEMPERATURES, AND SOIL SALINIZATION;**

25                   **(8) IMPROVING INTERAGENCY COORDINATION; AND**

26                   **(9) REDUCING THE POTENTIAL IMPACT OF OTHER HAZARDS**  
27 **IDENTIFIED IN THE MARYLAND HAZARD MITIGATION PLAN.**

1           **(B) (1) THE STATE AGENCIES AND ENTITIES REFERENCED IN**  
2 **PARAGRAPHS (2) THROUGH (11) OF THIS SUBSECTION SHALL APPOINT A LIAISON TO**  
3 **THE OFFICE OF RESILIENCE IN ORDER TO SUPPORT AND COORDINATE STATEWIDE**  
4 **RESILIENCY EFFORTS FOR THE PURPOSES PROVIDED.**

5           **(2) THE DEPARTMENT OF HOUSING AND COMMUNITY**  
6 **DEVELOPMENT SHALL COORDINATE WITH THE OFFICE OF RESILIENCE TO:**

7                   **(I) DEVELOP PROGRAMS TO ELEVATE AND FLOOD-PROOF**  
8 **HOUSING IN RECLASSIFIED FLOOD ZONES;**

9                   **(II) AID MUNICIPALITIES IN SECURING DESIGN GRANTS TO**  
10 **ELIMINATE FLOODING;**

11                   **(III) WITH CURRENT INITIATIVES, ENSURE THAT VULNERABLE**  
12 **COMMUNITIES HAVE ACCESS TO AIR CONDITIONING AND PROTECTION FROM**  
13 **STORMS;**

14                   **(IV) PROVIDE GUIDANCE TO ASSESS DEVELOPMENT PATTERNS**  
15 **IN SEA LEVEL RISE HAZARD ZONES AND OTHER CLIMATE-RELATED RISK AREAS; AND**

16                   **(V) DEVELOP DYNAMIC SCORING MODELS AND EVALUATION**  
17 **TOOLS TO ASSIST WITH PLANNING AND CAPTURE OF FUTURE IMPACTS ON**  
18 **DIFFERENT COMMUNITY SUPPORT FUNCTIONS.**

19           **(3) THE MARYLAND DEPARTMENT OF THE ENVIRONMENT SHALL**  
20 **COORDINATE WITH THE OFFICE OF RESILIENCE TO:**

21                   **(I) UPDATE FLOOD MAPS FOR CURRENT AND PROJECTED**  
22 **PRECIPITATION LEVELS; AND**

23                   **(II) SHARE RESOURCES AND THE LATEST SCIENTIFIC FINDINGS**  
24 **ON SEA LEVEL RISE RISKS AND URGENCY TO ADVANCE INVESTMENT AND**  
25 **ADAPTATION PLANNING.**

26           **(4) THE MARYLAND ENVIRONMENTAL SERVICE SHALL COORDINATE**  
27 **WITH THE OFFICE OF RESILIENCE TO:**

28                   **(I) DEVELOP PLANS FOR CORRIDORS OF MARSH MITIGATION**  
29 **AND ADOPT REGULATIONS THAT ALLOW SHORELINES TO ROLL INLAND WHILE**  
30 **MAINTAINING HABITAT AND WILDLIFE FUNCTION;**

1                   **(II) DEVELOP GUIDANCE FOR LOCAL GOVERNMENTS TO**  
2 **ADDRESS MANAGED RETREAT STRATEGIES; AND**

3                   **(III) DESIGN COASTAL RESILIENCE INITIATIVES THAT REMOVE**  
4 **OR REHABILITATE BLIGHTED STRUCTURES TO RESTORE COASTAL LANDS AND**  
5 **HABITATS AND CREATE SOFTER SHORELINES.**

6                   **(5) THE MARYLAND CLEAN ENERGY CENTER SHALL COORDINATE**  
7 **WITH THE OFFICE OF RESILIENCE TO:**

8                   **(I) UPDATE AND DRAFT BUILDING CODES TO WITHSTAND**  
9 **FLOODING; AND**

10                  **(II) PROMOTE THE USE OF ELECTRIC HEAT, ELECTRIC HEAT**  
11 **PUMPS, AND ELECTRIC APPLIANCES TO REDUCE THE USE OF GAS AND OTHER FOSSIL**  
12 **FUELS.**

13                  **(6) THE MARYLAND DEPARTMENT OF LABOR SHALL COORDINATE**  
14 **WITH THE OFFICE OF RESILIENCE TO:**

15                  **(I) DEVELOP CONSUMER-FOCUSED CAMPAIGNS TO EDUCATE**  
16 **THE PUBLIC ON THE IMPORTANCE OF RESILIENT BUILDING TO HOMEOWNERS,**  
17 **RENTERS, AND BUSINESSES AND TO INSTRUCT ON WHAT CONSUMERS SHOULD**  
18 **CONSIDER WHEN EVALUATING PROPERTIES, INSURANCE, INVESTMENTS, AND**  
19 **OTHER RELATED TOPICS; AND**

20                  **(II) REVIEW CURRENT BUILDING CODE ADOPTION ACROSS THE**  
21 **STATE, EVALUATE THE IMPACT THAT BUILDING CODE ADOPTION HAS ON**  
22 **COMMUNITY RESILIENCE, JOBS, PROPERTY VALUES, AND TAX REVENUES, AND**  
23 **ASSESS WHAT INVESTMENTS MAY SUPPORT THE INCREASED ADOPTION OF UPDATED**  
24 **BUILDING CODES THAT ARE RESPONSIVE TO CLIMATE-RELATED RISKS.**

25                  **(7) THE MARYLAND DEPARTMENT OF TRANSPORTATION SHALL**  
26 **COORDINATE WITH THE OFFICE OF RESILIENCE TO IMPROVE COASTAL RESILIENCE**  
27 **THROUGH INITIATIVES SUCH AS NATURE-BASED SOLUTIONS IN ROADWAY**  
28 **UPGRADES, ROADWAY REDESIGNS, AND ROADWAY REMOVAL IN ORDER TO REDUCE**  
29 **FLOODING AND IMPROVE HABITAT HEALTH.**

30                  **(8) THE MARYLAND AGRICULTURAL AND RESOURCE-BASED**  
31 **INDUSTRY DEVELOPMENT CORPORATION SHALL COORDINATE WITH THE OFFICE**  
32 **OF RESILIENCE TO:**

1 (I) BUILD CLIMATE RESILIENCE EXPERTISE THROUGH THE  
2 MARYLAND EXTENSION TO SUPPORT BEST PRACTICES IN AGRICULTURE;

3 (II) SUPPORT CROP TRANSITIONS AND PRACTICES THAT  
4 IMPROVE RESILIENCE AND SUPPORT BETTER ACCESS TO NEW MARKETS; AND

5 (III) SUPPORT UPGRADES TO DRAINAGE DITCHES AND CANAL  
6 SYSTEMS TO PROVIDE ADEQUATE DRAINAGE FOR FARMERS AND HOMEOWNERS.

7 (9) THE DEPARTMENT OF NATURAL RESOURCES SHALL  
8 COORDINATE WITH THE OFFICE OF RESILIENCE TO:

9 (I) IMPLEMENT ATLAS 14 DATA;

10 (II) SUPPORT THE DEVELOPMENT AND ADVANCEMENT OF  
11 NUISANCE FLOOD PLANNING AND PROGRAMS;

12 (III) DEVELOP PLANS AND REGULATIONS FOR CORRIDORS OF  
13 MARSH MIGRATION THAT ALLOW SHORELINES TO ROLL INLAND WHILE  
14 MAINTAINING HABITAT AND WILDLIFE FUNCTION;

15 (IV) DESIGN COASTAL RESILIENCE INITIATIVES TO REMOVE OR  
16 REHABILITATE BLIGHTED STRUCTURES TO RESTORE COASTAL LANDS AND  
17 HABITATS AND CREATE SOFTER SHORELINES; AND

18 (V) SHARE RESOURCES AND THE LATEST SCIENTIFIC FINDINGS  
19 ON SEA LEVEL RISE RISKS AND URGENCY TO ADVANCE INVESTMENT AND  
20 ADAPTATION PLANNING.

21 (10) THE ADAPTATION AND RESILIENCY WORKING GROUP OF THE  
22 MARYLAND COMMISSION ON CLIMATE CHANGE SHALL COORDINATE WITH THE  
23 OFFICE OF RESILIENCE TO:

24 (I) ASSIST WITH THE PRODUCTION OF AN UPDATED STATE  
25 ADAPTATION AND RESILIENCY STRATEGY; AND

26 (II) REVIEW OR ALTER WORKGROUP MEMBERSHIP AT THE  
27 REQUEST OF THE OFFICE OF RESILIENCE.

28 (11) THE UNIVERSITY OF MARYLAND CENTER FOR ENVIRONMENTAL  
29 SCIENCE SHALL COORDINATE WITH THE OFFICE OF RESILIENCE TO:

30 (I) ESTABLISH A RESILIENCE BASELINE FOR THE STATE;

1                   **(II) DEVELOP A STATEWIDE RESILIENCE ASSESSMENT TO**  
2 **SUPPORT LOCAL GOVERNMENT BENCHMARKING FOR USE IN A STATEWIDE**  
3 **RESILIENCE TRACKER TO HELP IDENTIFY INVESTMENT NEEDS;**

4                   **(III) DEVELOP INDICATORS TO MONITOR THE EFFECTIVENESS**  
5 **OF RESILIENCE EFFORTS AND ESTABLISH FUTURE GOALS; AND**

6                   **(IV) PRODUCE AN ECONOMIC ANALYSIS AND POLICY**  
7 **BENCHMARK REPORT TO INCLUDE:**

8                   **1. AN EXAMINATION OF THE FINANCIAL IMPACT OF**  
9 **EXTREME WEATHER OR OTHER HAZARDOUS EVENTS IN THE STATE;**

10                   **2. AN ESTIMATE OF NECESSARY RESOURCES NEEDED TO**  
11 **PREPARE FOR AND REDUCE THE ADVERSE EFFECTS OF HAZARDOUS EVENTS IN THE**  
12 **STATE;**

13                   **3. THE IDENTIFICATION OF AVAILABLE FUNDING**  
14 **SOURCES, INCLUDING THOSE USED BY OTHER STATES; AND**

15                   **4. A COMPARISON OF STATE POLICIES AND RESILIENCE**  
16 **EFFORTS WITH THOSE OF OTHER VULNERABLE STATES, INCLUDING FLORIDA,**  
17 **MASSACHUSETTS, NEW YORK, NORTH CAROLINA, AND VIRGINIA.**

18                   SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
19 October 1, 2022.