A BILL ENTITLED

AN ACT concerning

Natural Resources – Forest Mitigation Banks and the Forest Conservation Fund – Alterations

FOR the purpose of altering the definition of “qualified conservation” for purposes of provisions of law related to forest mitigation banks; extending the deadline for the Department of Natural Resources to accomplish the reforestation or afforestation for which certain money is deposited to the Forest Conservation Fund; and generally relating to forest conservation.

BY repealing and reenacting, without amendments,
- Article – Natural Resources
- Section 5–1601(a) and 5–1610(b)
- Annotated Code of Maryland
- (2018 Replacement Volume and 2021 Supplement)

BY repealing and reenacting, with amendments,
- Article – Natural Resources
- Section 5–1601(gg) and 5–1610(e)
- Annotated Code of Maryland
- (2018 Replacement Volume and 2021 Supplement)

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

Article – Natural Resources

5–1601.

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

(gg) “Qualified conservation” means the conservation of all or a part of an existing...
forest that:

(1) [Was] HAS BEEN approved [on or before December 31, 2020.] by the appropriate State or local forest conservation program for the purpose of establishing a forest mitigation bank; and

(2) Is encumbered in perpetuity by a restrictive easement, covenant, or another similar mechanism recorded in the county land records to conserve its character as a forest.

5–1610.

(b) There is a Forest Conservation Fund in the Department.

(e) (1) The Department shall accomplish the reforestation or afforestation for which the money is deposited within [2] 5 years or [3] 6 growing seasons, as appropriate, after receipt of the money.

(2) Money deposited in the Fund under subsection (c) of this section shall remain in the Fund for a period of [2] 5 years or [3] 6 growing seasons, and at the end of that time period, any portion that has not been used to meet the afforestation or reforestation requirements shall be returned to the person who provided the money to be used for documented tree planting in the same county or watershed beyond that required by this subtitle or other applicable statutes.

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