

# SENATE BILL 651

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CF 2lr2709

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By: **Senator Young**

Introduced and read first time: February 3, 2022

Assigned to: Education, Health, and Environmental Affairs

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## A BILL ENTITLED

1 AN ACT concerning

2 **Natural Resources – Forest Mitigation Banks and the Forest Conservation Fund**  
3 **– Alterations**

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

9 BY repealing and reenacting, without amendments,  
10 Article – Natural Resources  
11 Section 5–1601(a) and 5–1610(b)  
12 Annotated Code of Maryland  
13 (2018 Replacement Volume and 2021 Supplement)

14 BY repealing and reenacting, with amendments,  
15 Article – Natural Resources  
16 Section 5–1601(gg) and 5–1610(e)  
17 Annotated Code of Maryland  
18 (2018 Replacement Volume and 2021 Supplement)

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

### Article – Natural Resources

22 5–1601.

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

24 (gg) “Qualified conservation” means the conservation of all or a part of an existing

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 forest that:

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

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

8 5-1610.

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

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

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

19 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
20 1, 2022.