

HOUSE BILL 35

L6, M4

(PRE-FILED)

6lr0693
CF 6lr0816

By: **Delegate Foley**

Requested: August 14, 2025

Introduced and read first time: January 14, 2026

Assigned to: Environment and Transportation

A BILL ENTITLED

1 AN ACT concerning

2 **Local Government – Regulatory Powers – Regulation of Tree of Heaven**

3 FOR the purpose of authorizing the governing body of a county or municipality to adopt
4 certain ordinances to regulate trees of heaven; authorizing the governing body of a
5 county or municipality to establish a bounty program to incentivize the removal of
6 trees of heaven; and generally relating to local management of trees of heaven.

7 BY repealing and reenacting, with amendments,
8 Article – Local Government
9 Section 1–1318
10 Annotated Code of Maryland
11 (2013 Volume and 2025 Supplement)

12 Preamble

13 WHEREAS, Invasive species are nonnative plants and animals whose introduction
14 causes harm to human health, environmental harm, or economic harm – typically through
15 unchecked growth; and

16 WHEREAS, The tree of heaven is a nonnative, deciduous hardwood tree that is
17 considered an invasive species throughout North America because the species spreads
18 quickly and aggressively, crowding out native plants with dense greenery while secreting
19 a chemical into the soil that is toxic to surrounding plants; and

20 WHEREAS, The tree of heaven is the preferred habitat for the spotted lanternfly,
21 another invasive species that is causing economic damage to the agricultural community,
22 stressing native plant populations, and generally acting as a nuisance statewide; now,
23 therefore,

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

Article – Local Government

1–1318.

(a) **(1)** In this section[, “invasive”] **THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.**

(2) “**INVASIVE** bamboo” means bamboo that is characterized by aggressive spreading behavior, including bamboo species in the genus *Phyllostachys*.

(3) “**TREE OF HEAVEN**” MEANS THE *AILANTHUS ALTISSIMA* TREE SPECIES.

(b) This section applies to all counties and municipalities.

(c) The governing body of a county or municipality, by ordinance, may regulate invasive bamboo **OR TREES OF HEAVEN**, including by prohibiting a person from:

(1) selling invasive bamboo **OR TREES OF HEAVEN**;

(2) planting invasive bamboo **OR TREES OF HEAVEN**; [and]

(3) allowing invasive bamboo to grow on the property of the person without proper upkeep and appropriate containment measures, including barriers or trenches; **AND**

(4) ALLOWING TREES OF HEAVEN TO GROW ON THE PERSON’S PROPERTY.

(d) The governing body of a county or municipality may provide for the enforcement of an ordinance adopted under this section by:

(1) requiring any damages caused by invasive bamboo **OR TREES OF HEAVEN** to be mitigated; and

(2) establishing a civil fine.

(E) THE GOVERNING BODY OF A COUNTY OR MUNICIPALITY MAY ESTABLISH A BOUNTY PROGRAM TO INCENTIVIZE THE REMOVAL OF TREES OF HEAVEN.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2026.