

HOUSE BILL 395

M3, M4

EMERGENCY BILL

6lr1920

By: **Delegates Boyce, Adams, Arentz, Beauchamp, Ghrist, Griffith, Hartman, Hornberger, Hutchinson, Jacobs, Reilly, Sample-Hughes, and Ziegler**

Introduced and read first time: January 22, 2026

Assigned to: Environment and Transportation

A BILL ENTITLED

1 AN ACT concerning

2 **Water Pollution Control – Discharge Permits – Concentrated Animal Feeding**
3 **Operations**

4 FOR the purpose of repealing a requirement that a person hold a concentrated animal
5 feeding operation (CAFO) general discharge permit issued by the Department of the
6 Environment before the person may begin construction on any part of a new CAFO;
7 and generally relating to the discharge of pollutants into the waters of the State and
8 concentrated animal feeding operations.

9 BY repealing and reenacting, with amendments,
10 Article – Environment
11 Section 9–323
12 Annotated Code of Maryland
13 (2014 Replacement Volume and 2025 Supplement)

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

16 **Article – Environment**

17 9–323.

18 (a) [(1)] A person shall hold a discharge permit issued by the Department before
19 the person may construct, install, modify, extend, alter, or operate any of the following if
20 its operation could cause or increase the discharge of pollutants into the waters of this
21 State:

22 [(i)] (1) An industrial, commercial, or recreational facility or
23 disposal system;

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 [(ii)] **(2)** A State-owned treatment facility; or

2 [(iii)] **(3)** Any other outlet or establishment.

3 [(2) A person shall hold a CAFO Discharge permit issued by the
4 Department before the person may begin construction on any part of a new CAFO.]

5 (b) By rule or regulation, the Department may require a discharge permit for any
6 other activity.

7 [(c) The Department may not issue a CAFO Discharge permit to a person that
8 violates subsection (a)(2) of this section.]

9 SECTION 2. AND BE IT FURTHER ENACTED, That this Act is an emergency
10 measure, is necessary for the immediate preservation of the public health or safety, has
11 been passed by a yea and nay vote supported by three-fifths of all the members elected to
12 each of the two Houses of the General Assembly, and shall take effect from the date it is
13 enacted.