

# HOUSE BILL 705

I3, C1, P1

6lr2990

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By: **Delegate Ivey**

Introduced and read first time: February 2, 2026

Assigned to: Government, Labor, and Elections

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## A BILL ENTITLED

1 AN ACT concerning

2 **State Government – Attorney General – Office of the Attorney General**  
3 **Enforcement Recovery Fund – Establishment**

4 FOR the purpose of establishing the Office of the Attorney General Enforcement Recovery  
5 Fund as a special, nonlapsing fund; requiring certain money to be deposited into the  
6 Fund; and generally relating to the Office of the Attorney General Enforcement  
7 Recovery Fund.

8 BY adding to

9 Article – State Government

10 Section 6–112

11 Annotated Code of Maryland

12 (2021 Replacement Volume and 2025 Supplement)

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

15 **Article – State Government**

16 **6–112.**

17 **(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS**  
18 **INDICATED.**

19 **(2) “FUND” MEANS THE OFFICE OF THE ATTORNEY GENERAL**  
20 **ENFORCEMENT RECOVERY FUND.**

21 **(3) “QUALIFIED RECOVERY” MEANS PENALTIES OBTAINED BY THE**  
22 **OFFICE THROUGH ENFORCEMENT ACTIONS UNDER:**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (I) TITLE 11 OF THE COMMERCIAL LAW ARTICLE;

2 (II) TITLE 13 OF THE COMMERCIAL LAW ARTICLE; OR

3 (III) TITLE 11, SUBTITLE 3 OF THE CORPORATIONS AND  
4 ASSOCIATIONS ARTICLE.

5 (B) THERE IS AN OFFICE OF THE ATTORNEY GENERAL ENFORCEMENT  
6 RECOVERY FUND IN THE OFFICE.

7 (C) THE OFFICE SHALL ADMINISTER THE FUND.

8 (D) (1) THE FUND IS A SPECIAL, NONLAPSING FUND THAT IS NOT  
9 SUBJECT TO § 7-302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.

10 (2) THE STATE TREASURER SHALL HOLD THE FUND SEPARATELY,  
11 AND THE COMPTROLLER SHALL ACCOUNT FOR THE FUND.

12 (E) THE FUND CONSISTS OF:

13 (1) SUBJECT TO SUBSECTION (H) OF THIS SECTION, MONEY  
14 DEPOSITED FROM QUALIFIED RECOVERIES; AND

15 (2) ANY OTHER MONEY FROM ANY OTHER SOURCE ACCEPTED FOR  
16 THE BENEFIT OF THE FUND.

17 (F) THE FUND MAY BE USED ONLY TO SUPPORT THE CONSUMER  
18 PROTECTION, ANTITRUST, AND SECURITIES ENFORCEMENT ACTIVITIES OF THE  
19 OFFICE, INCLUDING:

20 (1) INVESTIGATION AND PROSECUTION OF VIOLATIONS;

21 (2) EXPERT WITNESS FEES AND CONSULTING SERVICES;

22 (3) TECHNOLOGY AND DATA ANALYTICS TOOLS;

23 (4) TRAINING AND PROFESSIONAL DEVELOPMENT FOR  
24 ENFORCEMENT STAFF;

25 (5) PUBLIC EDUCATION AND OUTREACH REGARDING CONSUMER  
26 RIGHTS; AND

27 (6) ANY OTHER DIRECT ENFORCEMENT-RELATED EXPENSES.

1           **(G) (1) THE STATE TREASURER SHALL INVEST THE MONEY OF THE FUND**  
2 **IN THE SAME MANNER AS OTHER STATE MONEY MAY BE INVESTED.**

3           **(2) INTEREST EARNINGS OF THE FUND SHALL BE CREDITED TO THE**  
4 **GENERAL FUND OF THE STATE.**

5           **(H) (1) THE ATTORNEY GENERAL MAY DEPOSIT INTO THE FUND UP TO**  
6 **25% OF EACH QUALIFIED RECOVERY NOT TO EXCEED \$7,500,000 PER FISCAL YEAR**  
7 **IN AGGREGATE DEPOSITS FROM ALL QUALIFIED RECOVERIES.**

8           **(2) DEPOSITS UNDER THIS SUBSECTION MAY BE MADE ONLY FROM**  
9 **QUALIFIED RECOVERIES THAT:**

10                   **(I) ARE OBTAINED THROUGH JUDGMENTS, SETTLEMENTS, OR**  
11 **CONSENT DECREES;**

12                   **(II) EXCEED \$100,000 IN TOTAL RECOVERY AMOUNTS; AND**

13                   **(III) ARE NOT OTHERWISE SPECIFICALLY DESIGNATED BY**  
14 **COURT ORDER, SETTLEMENT AGREEMENT, OR STATE LAW FOR ALTERNATIVE**  
15 **PURPOSES, INCLUDING RESTITUTION FOR VICTIMS.**

16           **(3) ANY AMOUNT DEPOSITED INTO THE FUND UNDER THIS SECTION:**

17                   **(I) IS SUPPLEMENTAL TO AND IS NOT INTENDED TO TAKE THE**  
18 **PLACE OF FUNDING THAT WOULD OTHERWISE BE APPROPRIATED TO THE OFFICE IN**  
19 **THE STATE BUDGET; AND**

20                   **(II) MAY NOT REDUCE AMOUNTS AVAILABLE FOR RESTITUTION**  
21 **TO VICTIMS OR OTHER REMEDIAL PURPOSES.**

22           **(4) MONEY IN THE FUND MAY NOT BE USED FOR RESTITUTION OR**  
23 **OTHER PAYMENTS TO VICTIMS OR THIRD PARTIES.**

24           **(5) THE EXISTENCE OF THE FUND MAY NOT BE USED AS A BASIS TO**  
25 **REDUCE APPROPRIATIONS TO THE OFFICE BELOW THE LEVEL THAT WOULD**  
26 **OTHERWISE BE PROVIDED.**

27           **(I) (1) AT THE END OF EACH FISCAL YEAR, IF THE BALANCE OF THE**  
28 **FUND EXCEEDS \$7,500,000, THE COMPTROLLER SHALL TRANSFER THE EXCESS**  
29 **BALANCE TO THE GENERAL FUND OF THE STATE.**

1                   **(2) ANY TRANSFER REQUIRED BY THIS SUBSECTION SHALL BE**  
2 **COMPLETED WITHIN 30 DAYS AFTER THE CLOSE OF THE FISCAL YEAR.**

3                   SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
4 1, 2026.