

# HOUSE BILL 949

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CF 6lr3423

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By: Talbot County Delegation

Introduced and read first time: February 5, 2026

Assigned to: Environment and Transportation

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## A BILL ENTITLED

1 AN ACT concerning

### 2 **Agriculture – Noxious Weeds – Palmer Amaranth**

3 FOR the purpose of requiring the Department of Agriculture to issue a certain order to a  
4 certain owner of land to eradicate Palmer amaranth under certain circumstances;  
5 requiring the Department to inspect certain land at a certain frequency under  
6 certain circumstances; and generally relating to noxious weeds and Palmer  
7 amaranth.

8 BY repealing and reenacting, with amendments,

9 Article – Agriculture

10 Section 9–404 and 9–406

11 Annotated Code of Maryland

12 (2016 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 – Agriculture**

16 9–404.

17 (a) No person may:

18 (1) Import or transport a noxious weed in the State in any form capable of  
19 growth; or

20 (2) Contaminate any uninfested land with a noxious weed through the  
21 movement of rootstocks, seed, soil, mulch, nursery stock, farm machinery, or any other  
22 artificial medium.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



6 (C) (1) IN THIS SUBSECTION, "PALMER AMARANTH" MEANS THE PLANT  
7 SPECIES PALMER AMARANTH (AMARANTHUS PALMERI) THAT IS LISTED AS A  
8 NOXIOUS WEED IN REGULATIONS ADOPTED BY THE DEPARTMENT.

16 (III) IF THE DEPARTMENT ISSUES AN ORDER UNDER  
17 SUBPARAGRAPH (I) OF THIS PARAGRAPH, THE DEPARTMENT SHALL INSPECT THE  
18 LAND THAT IS SUBJECT TO THE ORDER EVERY 2 WEEKS UNTIL THE DEPARTMENT  
19 DETERMINES THAT THE PALMER AMARANTH HAS BEEN ERADICATED.

20 9-406.

21       (a) Except as provided in [subsection (b)] **SUBSECTIONS (B) AND (C)** of this  
22 section, a person who violates this subtitle is subject to the penalties and fines set forth in  
23 Title 12 of this article.

24 (b) [(1)] Instead of pursuing the penalties and fines set forth in Title 12 of this  
25 article, the Secretary may impose on any person who violates this subtitle a penalty of:

26 (i) (1) For a first violation, not more than \$500;

27 [ii] (2) For a second violation, not more than \$1,000; or

28 [iii] (3) For a third or subsequent violation, not more than \$2,000.

29 (C) A PERSON WHO IS IN VIOLATION OF AN ORDER ISSUED UNDER §  
30 9-404(C)(2) OF THIS SUBTITLE IS SUBJECT TO AN ADMINISTRATIVE PENALTY OF:

31 (1) FOR A FIRST VIOLATION, \$500;

32 (2) FOR A SECOND VIOLATION, \$1,000; OR

1                   **(3) FOR A THIRD OR SUBSEQUENT VIOLATION, \$2,000.**

2                   **[(2)] (D)** Penalties collected under [this subsection] **SUBSECTIONS (B)**  
3 **AND (C) OF THIS SECTION** shall be distributed to a special fund, to be used only for the  
4 control and eradication of a noxious weed.

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