

HOUSE BILL 949

M4

6lr3424
CF 6lr3423

By: **Talbot County Delegation**

Introduced and read first time: February 5, 2026

Assigned to: Environment and Transportation

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.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(b) [Each] **SUBJECT TO SUBSECTION (C) OF THIS SECTION, EACH** landowner, including a landowner of public land, or person who possesses and manages land infested with a noxious weed shall eradicate or control the noxious weed on that land by using practices that the Secretary prescribes, including mowing, cultivating, or treating with an approved herbicide.

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

(2) (I) **IF, BASED ON AN INSPECTION BY THE DEPARTMENT, THE DEPARTMENT FINDS PALMER AMARANTH ON LAND, THE DEPARTMENT SHALL ISSUE AN ORDER TO ERADICATE THE PALMER AMARANTH TO THE PERSON THAT OWNS THE LAND.**

(II) **AN ORDER ISSUED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH SHALL REQUIRE THE PALMER AMARANTH TO BE ERADICATED WITHIN 2 WEEKS AFTER THE ORDER WAS ISSUED.**

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

9–406.

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

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

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

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

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

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

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

(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.