

SENATE BILL 124

J1
SB 911/24 – FIN

(PRE-FILED)

6lr1392

By: **Senator Benson**

Requested: October 28, 2025

Introduced and read first time: January 14, 2026

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Food, Drugs, and Cosmetics – Gene Structure– and Function–Modifying**
3 **Products – Labeling**

4 FOR the purpose of prohibiting a person from offering for sale in the State a gene
5 structure– or function–modifying product unless the product is labeled in a certain
6 manner; and generally relating to labeling of gene structure– and
7 function–modifying products.

8 BY adding to

9 Article – Health – General

10 Section 21–2G–01 through 21–2G–04 to be under the new subtitle “Subtitle 2G. Gene
11 Structure– and Function–Modifying Products”

12 Annotated Code of Maryland

13 (2023 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 – Health – General**

17 **SUBTITLE 2G. GENE STRUCTURE– AND FUNCTION–MODIFYING PRODUCTS.**

18 **21–2G–01.**

19 **(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS**
20 **INDICATED.**

21 **(B) “GENE STRUCTURE– OR FUNCTION–MODIFYING PRODUCT” MEANS A**
22 **PRODUCT THAT HAS BEEN PRODUCED USING MODERN BIOTECHNOLOGY METHODS**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



DESIGNED TO ALTER THE STRUCTURE OR FUNCTION OF ONE OR MORE GENES IN THE PRODUCT AND WHICH LEADS TO THE PRODUCT CONTAINING ARTIFICIALLY ENGINEERED ELEMENTS THAT MAY MODIFY THE STRUCTURE OR FUNCTION OF ONE OR MORE GENES IN A CONSUMER.

(C) (1) "MODERN BIOTECHNOLOGY METHODS" MEANS A RECENTLY DISCOVERED METHOD OF APPLICATION OF BIOLOGICAL PROCESSES FOR INDUSTRIAL AND OTHER PURPOSES.

(2) "MODERN BIOTECHNOLOGY METHODS" INCLUDES:

(I) GENE EDITING;

(II) RNA INTERFERENCE; AND

(III) TRANSGENESIS.

21-2G-02.

(A) A PERSON MAY NOT OFFER FOR SALE IN THE STATE A GENE STRUCTURE- OR FUNCTION-MODIFYING PRODUCT UNLESS THE GENE STRUCTURE- OR FUNCTION-MODIFYING PRODUCT IS LABELED IN ACCORDANCE WITH SUBSECTION (B) OF THIS SECTION.

(B) A GENE STRUCTURE- OR FUNCTION-MODIFYING PRODUCT OFFERED FOR SALE IN THE STATE SHALL BE LABELED, IN A PROMINENT AND CONSPICUOUS MANNER, WITH:

(1) THE WORDS "GENE STRUCTURE- OR FUNCTION-MODIFYING PRODUCT"; AND

(2) ALL POTENTIAL RISKS, SIDE EFFECTS, ADVERSE EFFECTS, AND OTHER REASONABLY POSSIBLE EFFECTS THAT THE GENE STRUCTURE- OR FUNCTION-MODIFYING PRODUCT MAY HAVE ON AN INDIVIDUAL WHO USES THE GENE STRUCTURE- OR FUNCTION-MODIFYING PRODUCT, OR ON AN INDIVIDUAL WHO MAY COME INTO CONTACT WITH THE INDIVIDUAL WHO USES THE GENE STRUCTURE- OR FUNCTION-MODIFYING PRODUCT.

21-2G-03.

(A) A PERSON THAT VIOLATES THIS SUBTITLE:

1 (1) IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT
2 TO:

3 (I) FOR A FIRST OFFENSE, A FINE NOT EXCEEDING \$10,000 OR
4 IMPRISONMENT NOT EXCEEDING 1 YEAR; AND

5 (II) FOR A SECOND OR SUBSEQUENT OFFENSE, A FINE NOT
6 EXCEEDING \$25,000 OR IMPRISONMENT NOT EXCEEDING 3 YEARS;

7 (2) IS SUBJECT TO A CIVIL PENALTY NOT EXCEEDING \$5,000 IN AN
8 ACTION IN A DISTRICT COURT; AND

9 (3) MAY BE ENJOINED FROM CONTINUING THE VIOLATION.

10 (B) EACH DAY ON WHICH A VIOLATION OCCURS AFTER CONVICTION FOR A
11 FIRST OFFENSE IS A SEPARATE VIOLATION UNDER THIS SECTION.

12 **21-2G-04.**

13 THIS SUBTITLE SHALL BE CONSTRUED LIBERALLY TO CARRY OUT ITS
14 PURPOSE.

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