

SENATE BILL 432

M5, M3, E4

6lr2107
CF HB 572

By: Senator Love

Introduced and read first time: January 30, 2026

Assigned to: Judicial Proceedings and Education, Energy, and the Environment

A BILL ENTITLED

1 AN ACT concerning

2 **Attorney General Actions and Climate Crimes Accountability Fund**
3 **(Climate Crimes Accountability Act)**

4 FOR the purpose of authorizing the Attorney General to investigate, commence, and
5 prosecute or defend any suit or action that holds certain entities accountable for
6 tortious or otherwise unlawful conduct that has contributed to climate change;
7 authorizing the Attorney General to hire outside counsel to assist with an action
8 under this Act if the Attorney General makes a certain determination; establishing
9 the Climate Crimes Accountability Fund as a special, nonlapsing fund; requiring
10 interest earnings of the Fund to be credited to the Fund; and generally relating to
11 climate change.

12 BY adding to

13 Article – Environment
14 Section 1–307
15 Annotated Code of Maryland
16 (2013 Replacement Volume and 2025 Supplement)

17 BY adding to

18 Article – Public Safety
19 Section 14–1401 and 14–1402 to be under the new subtitle “Subtitle 14. Climate
20 Crimes Accountability Fund”
21 Annotated Code of Maryland
22 (2022 Replacement Volume and 2025 Supplement)

23 BY repealing and reenacting, without amendments,

24 Article – State Finance and Procurement
25 Section 6–226(a)(2)(i) and (ii)
26 Annotated Code of Maryland
27 (2021 Replacement Volume and 2025 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 BY repealing and reenacting, with amendments,
2 Article – State Finance and Procurement
3 Section 6–226(a)(2)(iii)212. and 213.
4 Annotated Code of Maryland
5 (2021 Replacement Volume and 2025 Supplement)

6 BY adding to
7 Article – State Finance and Procurement
8 Section 6–226(a)(2)(iii)214.
9 Annotated Code of Maryland
10 (2021 Replacement Volume and 2025 Supplement)

11 BY repealing and reenacting, with amendments,
12 Article – State Government
13 Section 6–106.2
14 Annotated Code of Maryland
15 (2021 Replacement Volume and 2025 Supplement)

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

18 **Article – Environment**

19 **1–307.**

20 (A) IN THIS SECTION, “MARKET CAPITALIZATION” MEANS THE TOTAL
21 MARKET VALUE OF A COMPANY’S OUTSTANDING SHARES OF STOCK.

22 (B) FOR THE PROTECTION OF THE HEALTH AND SAFETY OF THE STATE’S
23 CITIZENS AND ENVIRONMENT, IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT
24 A PUBLICLY TRADED ENTITY, INCLUDING ITS SUBSIDIARIES, WITH A CUMULATIVE
25 MARKET CAPITALIZATION GREATER THAN \$1,000,000,000 THAT IS OR WAS
26 INVOLVED IN EXTRACTING, REFINING, OR PROCESSING COAL, OIL, OR GAS BE HELD
27 ACCOUNTABLE FOR ANY TORTIOUS OR OTHERWISE UNLAWFUL CONDUCT ON THE
28 PART OF THE ENTITY OR SUBSIDIARY THAT HAS CONTRIBUTED TO CLIMATE
29 CHANGE, INCLUDING ASSOCIATED ENVIRONMENTAL AND OTHER HARMS CAUSED,
30 WHETHER THROUGH FRAUD, DECEPTION, OR ANY OTHER MECHANISM, ACTION,
31 INACTION, OR PRACTICE.

32 (C) THE ATTORNEY GENERAL MAY INVESTIGATE, COMMENCE, AND
33 PROSECUTE OR DEFEND ANY CIVIL OR CRIMINAL SUIT OR ACTION THAT HOLDS
34 ACCOUNTABLE A PUBLICLY TRADED ENTITY, INCLUDING ITS SUBSIDIARIES, WITH A
35 CUMULATIVE MARKET CAPITALIZATION GREATER THAN \$1,000,000,000 AT THE
36 TIME A SUIT OR AN ACTION IS FILED THAT IS OR WAS INVOLVED IN EXTRACTING,
37 REFINING, OR PROCESSING COAL, OIL, OR GAS FOR ANY TORTIOUS OR OTHERWISE

1 UNLAWFUL CONDUCT ON THE PART OF THE ENTITY OR SUBSIDIARY THAT HAS
2 CONTRIBUTED TO CLIMATE CHANGE THROUGH FRAUD, DECEPTION, OR ANY OTHER
3 MECHANISM, ACTION, INACTION, OR PRACTICE.

4 (D) THE ATTORNEY GENERAL MAY HIRE OUTSIDE COUNSEL TO ASSIST
5 WITH AN ACTION UNDER THIS SECTION IF THE ATTORNEY GENERAL DETERMINES
6 THAT HIRING OUTSIDE COUNSEL IS IN THE BEST INTEREST OF THE STATE.

7 (E) THE PROVISIONS OF § 6-106.2 OF THE STATE GOVERNMENT ARTICLE
8 SHALL APPLY TO ANY ACTION BROUGHT BY THE ATTORNEY GENERAL UNDER THIS
9 SECTION.

10 **Article – Public Safety**

11 **SUBTITLE 14. CLIMATE CRIMES ACCOUNTABILITY FUND.**

12 **14-1401.**

13 (A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS
14 INDICATED.

15 (B) “FUND” MEANS THE CLIMATE CRIMES ACCOUNTABILITY FUND.

16 (C) “SALTWATER INTRUSION” HAS THE MEANING STATED IN § 3-1001 OF
17 THE NATURAL RESOURCES ARTICLE.

18 (D) “VECTORBORNE PATHOGEN” MEANS A GERM OR PARASITE THAT IS
19 SPREAD TO HUMANS AND OTHER ANIMALS BY A VECTOR, SUCH AS A MOSQUITO,
20 TICK, OR FLEA.

21 (E) “WATERBORNE PATHOGEN” MEANS A MICROORGANISM, SUCH AS
22 BACTERIA, A VIRUS, A PARASITE, OR AN AMOEBA, THAT CAN CAUSE ILLNESS IN
23 HUMANS AND ANIMALS IF EXPOSED TO WATER CONTAMINATED BY THE
24 MICROORGANISM.

25 **14-1402.**

26 (A) THERE IS A CLIMATE CRIMES ACCOUNTABILITY FUND.

27 (B) THE PURPOSE OF THE FUND IS TO PAY FOR PROGRAMS THAT PREVENT,
28 MITIGATE, OR REPAIR HARMS CAUSED BY CLIMATE CHANGE.

29 (C) THE DEPARTMENT SHALL ADMINISTER THE FUND.

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

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

5 (E) THE FUND CONSISTS OF:

6 (1) ALL REVENUES RECEIVED BY THE STATE RESULTING DIRECTLY
7 OR INDIRECTLY FROM ANY JUDGMENT AGAINST OR SETTLEMENT WITH AN ENTITY
8 IN AN ACTION BROUGHT UNDER § 1-307 OF THE ENVIRONMENT ARTICLE;

9 (2) INTEREST EARNINGS OF THE FUND; AND

10 (3) ANY OTHER MONEY FROM ANY OTHER SOURCE ACCEPTED FOR
11 THE BENEFIT OF THE FUND.

12 (F) THE FUND MAY BE USED ONLY TO:

13 (1) PAY FOR PROGRAMS THAT PREVENT, MITIGATE, OR REPAIR
14 HARMS CAUSED BY CLIMATE CHANGE, INCLUDING PROGRAMS ADDRESSING:

15 (I) AIR POLLUTION;

16 (II) DANGEROUSLY HIGH TEMPERATURES, SUCH AS URBAN
17 HEAT ISLANDS OR EXTENDED HEAT WAVES;

18 (III) DROUGHT;

19 (IV) ECOSYSTEM CHANGES;

20 (V) FLOODING;

21 (VI) SALTWATER INTRUSION;

22 (VII) STORM DAMAGE;

23 (VIII) VECTORBORNE PATHOGENS;

24 (IX) WATERBORNE PATHOGENS; AND

25 (X) WILDFIRES;

(2) PAY FOR EXPENSES RELATED TO ANY ACTION BROUGHT BY THE
ATTORNEY GENERAL UNDER § 1-307 OF THE ENVIRONMENT ARTICLE, INCLUDING:

3 (I) INVESTIGATION EXPENSES;

4 (II) LITIGATION EXPENSES; AND

5 (III) TRIAL PREPARATION EXPENSES; AND

6 (3) PAY ADMINISTRATIVE EXPENSES RELATED TO THE DISTRIBUTION
7 OF FUNDS TO PROGRAMS UNDER ITEM (1) OF THIS SUBSECTION.

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

10 (2) ANY INTEREST EARNINGS OF THE FUND SHALL BE CREDITED TO
11 THE FUND.

12 (H) EXPENDITURES FROM THE FUND MAY BE MADE ONLY IN ACCORDANCE
13 WITH THE STATE BUDGET.

14 (I) MONEY EXPENDED FROM THE FUND FOR PROGRAMS THAT PREVENT,
15 MITIGATE, OR REPAIR HARMS CAUSED BY CLIMATE CHANGE IS SUPPLEMENTAL TO
16 AND IS NOT INTENDED TO TAKE THE PLACE OF FUNDING THAT OTHERWISE WOULD
17 BE APPROPRIATED FOR THE PROGRAMS.

Article – State Finance and Procurement

19 6-226.

20 (a) (2) (i) This paragraph does not apply in fiscal years 2024 through 2028.

(iii) The provisions of subparagraph (ii) of this paragraph do not apply to the following funds:

213. the Population Health Improvement Fund; AND

214. THE CLIMATE CRIMES ACCOUNTABILITY FUND.

Article – State Government

4 6-106.2.

5 (a) This section applies to:

(2) ANY ACTION BROUGHT BY THE ATTORNEY GENERAL UNDER § 1-307 OF THE ENVIRONMENT ARTICLE.

12 (b) (1) In this section the following words have the meanings indicated.

13 (2) "Proportionate share of liability" means the percentage of comparative
14 responsibility assigned by a judge or jury to a settling party in accordance with this section.

15 (3) "Responsible person" means a person alleged to be liable in an action
16 governed by this section.

17 (c) In an action governed by this section, the judge or jury shall:

18 (1) make a determination of the total liability, including damages, costs,
19 and any other available relief;

20 (2) assign comparative responsibility to each party joined in the action,
21 including all defendants, third-party defendants, intervenors, and any other named party,
22 based on the party's relative degree of fault or responsibility for the total liability; and

23 (3) if equity requires, determine the liability of a group of related persons
24 on a collective basis.

25 (d) If the State has not obtained complete relief from a responsible person who
26 has resolved the person's liability to the State in a settlement of an action governed by this
27 section, the State may:

28 (1) continue to pursue an action against any other responsible person who
29 has not resolved the person's liability to the State; or

(2) bring a new action against any other responsible person who has not resolved the person's liability to the State.

3 (e) Notwithstanding any other provision of State law:

(1) the Maryland Uniform Contribution Among Joint Tort-Feasors Act under Title 3, Subtitle 14 of the Courts Article does not apply to an action governed by this section;

(2) if a responsible person resolves the person's liability to the State in a settlement of an action governed by this section, the person may not be liable for claims for noncontractual contribution or indemnity regarding any action or claim resolved in the settlement; and

13 (i) does not release from liability any other responsible person
14 except as specifically provided in the terms of the settlement; but

15 (ii) reduces the potential liability of all other responsible persons
16 liable in whole or in part by the larger of:

17 1. the settling person's proportionate share of liability; or

18 2. the amount the settling person pays to settle the action.

19 (f) This section may not be construed to:

20 (1) impair any express contractual rights;

21 (2) create new types of actions or claims;

22 (3) alter the burden of proof, causation standard, or elements of an action
23 or claim governed by this section; or

24 (4) grant authority to the State or the Attorney General to bring actions or
25 claims not otherwise authorized by law.

26 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June
27 1, 2026.