

SENATE BILL 686

M3

6lr2228
CF 6lr2226

By: **Senator Love**

Introduced and read first time: February 6, 2026

Assigned to: Education, Energy, and the Environment

A BILL ENTITLED

1 AN ACT concerning

2 **PFAS Chemicals – Product Phase Outs and Registration Requirements**

3 FOR the purpose of prohibiting manufacturers from selling, offering for sale, distributing,
4 or distributing for sale in the State, certain products containing intentionally added
5 per- and polyfluoroalkyl (PFAS) chemicals on or after certain dates; establishing
6 registration requirements for certain products that contain intentionally added
7 PFAS chemicals; providing for the testing of certain products to determine
8 compliance with this Act; establishing the Maryland PFAS Chemicals Protection and
9 Remediation Fund as a special, nonlapsing fund in the Department of the
10 Environment; requiring interest earnings to be credited to the Fund; requiring the
11 Department to provide grants and loans from the Fund for certain projects related
12 to the purposes of the Fund; requiring certain penalties to be deposited to the Fund;
13 and generally relating to PFAS chemicals.

14 BY adding to

15 Article – Environment

16 New part designation “Part I. Requirements and Prohibitions” to immediately
17 precede Section 6–1601

18 Annotated Code of Maryland

19 (2013 Replacement Volume and 2025 Supplement)

20 BY repealing and reenacting, with amendments,

21 Article – Environment

22 Section 6–1601 through 6–1603, 6–1604.1, and 6–1605

23 Annotated Code of Maryland

24 (2013 Replacement Volume and 2025 Supplement)

25 BY repealing

26 Article – Environment

27 Section 6–1604

28 Annotated Code of Maryland

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(2013 Replacement Volume and 2025 Supplement)

BY adding to

Article – Environment

Section 6–1605 through 6–1607; 6–1611 through 6–1613 to be under the new part

“Part II. Maryland PFAS Chemicals Protection and Remediation Fund and

Grant Program”; and 6–16A–05(c)

Annotated Code of Maryland

(2013 Replacement Volume and 2025 Supplement)

BY adding to

Article – Environment

Section 9–1906(d)

Annotated Code of Maryland

(2014 Replacement Volume and 2025 Supplement)

BY repealing and reenacting, without amendments,

Article – State Finance and Procurement

Section 6–226(a)(2)(ii)

Annotated Code of Maryland

(2021 Replacement Volume and 2025 Supplement)

BY repealing and reenacting, with amendments,

Article – State Finance and Procurement

Section 6–226(a)(2)(iii)212. and 213.

Annotated Code of Maryland

(2021 Replacement Volume and 2025 Supplement)

BY adding to

Article – State Finance and Procurement

Section 6–226(a)(2)(iii)214.

Annotated Code of Maryland

(2021 Replacement Volume and 2025 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

That the Laws of Maryland read as follows:

Article – Environment

PART I. REQUIREMENTS AND PROHIBITIONS.

6–1601.

(a) In this subtitle the following words have the meanings indicated.

(b) “Class B fire–fighting foam” or “foam” means a foam designed for flammable liquid fire.

1 **(C) (1) “CLEANING PRODUCT” MEANS A FINISHED PRODUCT USED FOR**
2 **GENERAL CLEANING OR POLISHING PURPOSES.**

3 **(2) “CLEANING PRODUCT” INCLUDES:**

4 **(I) A LAUNDRY DETERGENT OR CLOTHING SOFTENER;**

5 **(II) A DISHWASHING COMPOUND;**

6 **(III) A HOUSEHOLD CLEANER, METAL CLEANER, DEGREASING**
7 **COMPOUND, COMMERCIAL CLEANER, INDUSTRIAL CLEANER, OR PHOSPHATE**
8 **COMPOUND;**

9 **(IV) A FLOOR POLISH MAINTENANCE PRODUCT;**

10 **(V) AN AIR CARE PRODUCT LABELED FOR THE INTENDED USE**
11 **OF ENHANCING THE CONDITIONS OF THE INDOOR ENVIRONMENT BY ELIMINATING**
12 **UNPLEASANT ODORS OR FRESHENING THE AIR; AND**

13 **(VI) AN AUTOMOTIVE CLEANING PRODUCT LABELED FOR THE**
14 **INTENDED USE OF CLEANING, RESTORING, OR MAINTAINING THE APPEARANCE OF**
15 **THE INTERIOR OR EXTERIOR OF A MOTOR VEHICLE.**

16 **(3) “CLEANING PRODUCT” DOES NOT INCLUDE AN AUTOMOTIVE**
17 **PAINT OR PAINT REPAIR PRODUCT.**

18 **(D) (1) “COOKWARE” MEANS A DURABLE HOUSEWARE ITEM USED TO**
19 **PREPARE, DISPENSE, OR STORE FOOD, FOODSTUFFS, OR BEVERAGES.**

20 **(2) “COOKWARE” INCLUDES A POT, PAN, SKILLET GRILL, BAKING**
21 **SHEET, BAKING MOLD, TRAY, BOWL, OR COOKING UTENSIL.**

22 **(E) (1) “COSMETIC” MEANS A SUBSTANCE, COMPONENT OF A**
23 **SUBSTANCE, OR PRODUCT THAT IS INTENDED TO BE RUBBED, POURED, SPRINKLED**
24 **OR SPRAYED ON, INTRODUCED ONTO, OR OTHERWISE APPLIED TO THE HUMAN BODY**
25 **FOR BEAUTIFYING, PROMOTING ATTRACTIVENESS, OR ALTERING APPEARANCE.**

26 **(2) “COSMETIC” DOES NOT INCLUDE A SOAP.**

27 **(F) “CURRENTLY UNAVOIDABLE USE” MEANS A USE OF PFAS CHEMICALS:**

1 **(1) THAT THE DEPARTMENT HAS DETERMINED BY REGULATION TO**
2 **BE ESSENTIAL FOR HEALTH, SAFETY, OR THE FUNCTIONING OF SOCIETY; AND**

3 **(2) FOR WHICH THE DEPARTMENT HAS DETERMINED BY**
4 **REGULATION THAT ALTERNATIVES ARE NOT REASONABLY AVAILABLE.**

5 **(G) “FABRIC TREATMENT” MEANS A SUBSTANCE APPLIED TO A FABRIC FOR**
6 **STAIN, GREASE, OR WATER RESISTANCE OR FLAME RETARDANCE.**

7 **(H) (1) “FEMININE HYGIENE PRODUCT” MEANS A DISPOSABLE OR**
8 **REUSABLE PRODUCT TO COLLECT MENSTRUATION AND VAGINAL DISCHARGE.**

9 **(2) “FEMININE HYGIENE PRODUCT” INCLUDES A TAMPON, A PAD, A**
10 **SPONGE, A PAIR OF MENSTRUATION UNDERWEAR, A DISC, AN APPLICATOR, A**
11 **MENSTRUATION CUP, OR A VAGINAL DOUCHE.**

12 **[(c)] (I) “Intentionally added” means the act of deliberately using a chemical in**
13 **the formation of a product where the chemical’s continued presence is desired in the product**
14 **to provide a specific characteristic.**

15 **(J) (1) “INTIMACY PRODUCT” MEANS A SUBSTANCE, A COMPONENT OF A**
16 **SUBSTANCE, OR A PRODUCT INTENDED FOR USE DURING SEXUAL INTIMACY.**

17 **(2) “INTIMACY PRODUCT” INCLUDES:**

18 **(I) A CONDOM;**

19 **(II) GENITAL LUBRICANT; AND**

20 **(III) THE EXTERIOR SURFACE OF A PRODUCT INTENDED FOR**
21 **GENITAL STIMULATION.**

22 **(3) “INTIMACY PRODUCT” DOES NOT INCLUDE ANY INTERNAL**
23 **ELECTRONIC COMPONENT OF A PRODUCT INTENDED FOR GENITAL STIMULATION.**

24 **(K) (1) “JUVENILE PRODUCT” MEANS A PRODUCT DESIGNED OR**
25 **MARKETED FOR USE BY CHILDREN UNDER THE AGE OF 12 YEARS.**

26 **(2) “JUVENILE PRODUCT” INCLUDES:**

27 **(I) A FOAM PILLOW FOR A BABY OR TODDLER;**

28 **(II) 1. A BASSINET;**

2. A BEDSIDE SLEEPER;
 3. A CO-SLEEPER;
 4. A CRIB MATTRESS;
 5. A TODDLER MATTRESS;
 6. AN INFANT TRAVEL BED;
 7. A NAP COT;
 8. A PORTABLE FOAM NAP MAT;
 9. A PORTABLE INFANT SLEEPER;
 10. A SOFT-SIDED PORTABLE CRIB;
 11. AN INFANT SLEEP POSITIONER; OR
 12. ANY OTHER PRODUCT LABELED AND INTENDED AS A SLEEP SURFACE FOR INFANTS OR CHILDREN;
- (III) A CHILD RESTRAINT SYSTEM FOR USE IN A MOTOR VEHICLE OR ON AIRCRAFT;
- (IV) A BOOSTER SEAT, HIGHCHAIR, HIGHCHAIR PAD, OR PORTABLE HOOK-ON CHAIR;
- (V) A PLAY MAT, PLAYPEN, OR PLAY YARD;
- (VI) AN INFANT WALKER, INFANT SEAT, INFANT SWING, OR INFANT BOUNCER;
- (VII) A STROLLER OR AN INFANT CARRIER;
- (VIII) A NURSING PAD OR NURSING PILLOW; AND
- (IX) A CHANGING PAD.

(3) "JUVENILE PRODUCT" DOES NOT INCLUDE:

- (I) AN ELECTRONIC PRODUCT FOR CHILDREN, SUCH AS:

1. A PERSONAL COMPUTER;
2. AUDIO OR VIDEO EQUIPMENT;
3. CALCULATOR;
4. WIRELESS PHONE;
5. GAME CONSOLE;
6. HANDHELD DEVICE INCORPORATING A VIDEO
7 SCREEN; OR
7. ANY ASSOCIATED PERIPHERAL DEVICE, SUCH AS A
8 MOUSE, KEYBOARD, POWER SUPPLY UNIT, OR POWER CORD; OR

10 (II) AN ADULT MATTRESS.

11 (L) "MANUFACTURER" MEANS:

12 (1) THE PERSON THAT PRODUCED OR ASSEMBLED A PRODUCT OR
13 WHOSE BRAND NAME IS AFFIXED TO THE PRODUCT; OR

14 (2) IF THE PERSON THAT PRODUCED OR ASSEMBLED THE PRODUCT
15 OR WHOSE BRAND NAME IS AFFIXED TO THE PRODUCT DOES NOT HAVE AN OFFICE
16 OR EMPLOYEES IN THE UNITED STATES, THE IMPORTER OR FIRST DOMESTIC
17 DISTRIBUTOR OF THE PRODUCT.

18 (M) (1) "PERSONAL CARE PRODUCT" MEANS A SUBSTANCE, COMPONENT
19 OF A SUBSTANCE, OR PRODUCT THAT IS INTENDED FOR:

20 (I) CLEANING, CLEANSING, OR CONDITIONING ANY PART OF
21 THE BODY, SUCH AS THE SKIN, TEETH, OR HAIR; OR

22 (II) PROTECTING SKIN FROM THE SUN.

23 (2) "PERSONAL CARE PRODUCT" INCLUDES, WHETHER INTENDED
24 FOR USE ON HUMANS OR PETS:

25 (I) SHAMPOO OR HAIR CONDITIONER;

26 (II) SOAP, BATH GEL, OR ANY OTHER BATH PRODUCT;

(III) A TOOTHBRUSH, TOOTHPASTE, DENTAL FLOSS, OR MOUTH
WASH;

(IV) SHAVING GEL; OR

(V) SUNSCREEN.

**(3) “PERSONAL CARE PRODUCT” DOES NOT INCLUDE A PRODUCT FOR
WHICH A PRESCRIPTION IS REQUIRED FOR DISTRIBUTION OR DISPENSATION.**

[(d)] (N) “Personal protective equipment” means items designed, intended, or
marketed to be worn by fire-fighting personnel in the performance of their fire and rescue
activities, including jackets, pants, shoes, gloves, helmets, and respiratory equipment.

[(e)] (O) “PFAS chemicals” means, when used in [fire-fighting agents,
fire-fighting equipment, food packaging, and rugs and carpets] **A PRODUCT REGULATED
UNDER THIS SUBTITLE**, a class of fluorinated organic chemicals that contain at least one
fully fluorinated carbon atom, including perfluoroalkyl and polyfluoroalkyl substances.

[(f)] (P) “Rug or carpet” means a thick fabric used to cover a floor, including:

(1) Commercial or residential broadloom carpet; and

(2) A pad or an underlayment used in conjunction with a carpet.

**(Q) (1) “SKI WAX” MEANS A LUBRICANT APPLIED TO THE BOTTOM OF A
SNOW RUNNER, INCLUDING A SKI OR A SNOWBOARD, TO IMPROVE GRIP OR GLIDE
PROPERTIES.**

(2) “SKI WAX” INCLUDES ASSOCIATED TUNING PRODUCTS.

[(g)] (R) “Terminal” means:

(1) A bulk liquid storage facility exclusively engaged in the merchant
wholesale distribution of petroleum products, including liquefied petroleum gas, that
contains at least one storage tank containing petroleum products with a surface area of 120
square meters or greater; or

(2) A facility engaged in the distribution of crude petroleum from
extraction or processing facilities that includes at least one storage tank containing crude
petroleum with a surface area of 120 square meters or greater.

(S) (1) “TEXTILE” MEANS AN ITEM MADE IN WHOLE OR IN PART FROM A NATURAL OR SYNTHETIC FIBER, YARN, OR FABRIC, INCLUDING LEATHER, COTTON, SILK, JUTE, HEMP, WOOL, VISCOSE, NYLON, OR POLYESTER.

(2) “TEXTILE” INCLUDES:

(I) OUTERWEAR; AND

(II) BEDDING.

(T) (1) “TEXTILE FURNISHING” MEANS A TEXTILE PRODUCT MADE IN WHOLE OR IN PART FROM A NATURAL OR SYNTHETIC FIBER, YARN, OR FABRIC THAT IS USED AS FURNITURE OR AS A DECORATIVE ACCESSORY.

(2) “TEXTILE FURNISHING” INCLUDES A MATTRESS.

(U) “UPHOLSTERED FURNITURE” MEANS FURNITURE THAT IS WHOLLY OR PARTIALLY STUFFED WITH A FILLING MATERIAL.

6–1602.

(A) The Department shall adopt regulations to carry out this subtitle.

(B) THE REQUIREMENTS OF THIS SUBTITLE ARE IN ADDITION TO ANY REQUIREMENTS ESTABLISHED UNDER:

(1) SUBTITLE 16A OF THIS TITLE;

(2) TITLE 9, SUBTITLE 19 OF THIS ARTICLE; AND

(3) § 21–259.2 OF THE HEALTH – GENERAL ARTICLE.

6–1603.

(a) Except as provided in subsections (b) and (c) of this section, on or after January 1, 2024, a person may not use, manufacture, or knowingly sell, offer for sale, or distribute for sale or use Class B fire-fighting foam that contains intentionally added PFAS chemicals in the State.

(b) Subject to subsection (c) of this section, a person may use, manufacture, sell, offer for sale, or distribute for sale or use Class B fire-fighting foam that contains intentionally added PFAS chemicals in the State:

(1) On or before September 30, 2024, if the fire-fighting foam will be used at an airport, a port, a refinery, or a chemical plant;

(2) On or before December 31, 2027, if the fire-fighting foam will be used at a terminal; and

(3) On or before any applicable date specified in federal law, if the fire-fighting foam will be used by a person that is required to use Class B fire-fighting foam that contains intentionally added PFAS chemicals.

(c) (1) A person that is authorized under subsection (b) of this section to use Class B fire-fighting foam that contains intentionally added PFAS chemicals:

(i) May not release the foam directly into the environment, including through unsealed ground, soakage pits, waterways, or uncontrolled drains; and

(ii) Shall:

1. Fully contain all releases on site;

2. Implement containment measures, including bunds and ponds, that are controlled and impervious to PFAS chemicals and do not allow firewater, wastewater, runoff, and other wastes to be released into the environment, including soils, groundwater, waterways, and stormwater;

3. Dispose of all firewater, wastewater, runoff, and other wastes in a way that prevents releases into the environment;

4. Within 5 days after a release in violation of item (i) of this paragraph, report the release to the Department, including information on the identity of the foam, the quantity used, the total PFAS concentration, and the form of any waste that contains PFAS chemicals; and

5. Maintain documentation on any measures taken under this paragraph.

(2) (i) In investigating compliance with this subsection, the Department, the Attorney General, a State's Attorney for a county or Baltimore City, a county attorney, or a City Attorney may request documentation maintained under paragraph (1) of this subsection.

(ii) A person that receives a request under subparagraph (i) of this paragraph shall provide the documentation on request.

(3) A failure to meet the requirements of paragraph (1) or (2) of this subsection does not preclude the use of Class B fire-fighting foam containing intentionally added PFAS chemicals if the failure was a result of factors beyond the control of the person.

(d) (1) If a person sells personal protective equipment for fire fighting that contains PFAS chemicals in the State, the person shall provide written notice to the purchaser at the time of the sale that includes:

(i) A statement that the personal protective equipment contains PFAS chemicals; and

(ii) The reason that the personal protective equipment contains PFAS chemicals.

(2) Both the person selling personal protective equipment for fire fighting that contains PFAS chemicals and the purchaser of the personal protective equipment shall retain the notice under paragraph (1) of this subsection for at least 3 years after the date of the sale.

(e) (1) On request of a fire department in the State, the Department shall take back from the fire department Class B fire-fighting foam that contains intentionally added PFAS chemicals.

(2) The Department shall dispose of fire-fighting foam received under this subsection in a manner consistent with this subtitle.

(3) For fiscal year 2024, the Governor shall include in the annual budget bill an appropriation of \$500,000 to the Department for the purpose of taking back and disposing of fire-fighting foam under this section.

(F) A PERSON MAY NOT DISPOSE OF A CLASS B FIRE-FIGHTING FOAM THAT CONTAINS INTENTIONALLY ADDED PFAS CHEMICALS:

(1) USING INCINERATION, INCLUDING BY BURNING, COMBUSTION, PYROLYSIS, GASIFICATION, THERMAL OXIDATION, ACID RECOVERY FURNACE OR OXIDIZER, ORE ROASTER, CEMENT KILN, LIGHTWEIGHT AGGREGATE KILN, INDUSTRIAL FURNACE BOILER, AND PROCESS HEATER; OR

(2) IN A LANDFILL.

[6–1604.

A person may not dispose of a Class B fire-fighting foam that contains intentionally added PFAS chemicals:

(1) Using incineration, including by burning, combustion, pyrolysis, gasification, thermal oxidation, acid recovery furnace or oxidizer, ore roaster, cement kiln, lightweight aggregate kiln, industrial furnace boiler, and process heater; or

(2) In a landfill.]

1 **[6-1604.1.] 6-1604.**

2 (a) This section does not apply to the sale or resale of a used rug or carpet.

3 (b) On or after January 1, 2024, a person may not manufacture or knowingly sell,
4 offer for sale, or distribute for sale or use in the State a rug or carpet to which PFAS
5 chemicals have been intentionally added.

6 (c) (1) A person that manufactures a rug or carpet for sale or use in the State
7 shall establish a certificate of compliance to attest that the rug or carpet is in compliance
8 with the requirements of this section.

9 (2) Within 30 days after a request by the Department, a person shall
10 provide the certificate of compliance established under paragraph (1) of this subsection to
11 the Department.

12 **6-1605.**

13 **(A) THIS SECTION DOES NOT APPLY TO:**

14 **(1) A PRODUCT FOR WHICH FEDERAL LAW GOVERNS THE PRESENCE**
15 **OF PFAS CHEMICALS IN THE PRODUCT IN A MANNER THAT PREEMPTS STATE**
16 **AUTHORITY;**

17 **(2) A USED PRODUCT OFFERED FOR SALE OR RESALE, INCLUDING**
18 **ANY RECYCLED MATERIAL USED IN REMANUFACTURING; OR**

19 **(3) A PRODUCT FOR WHICH THE DEPARTMENT HAS DETERMINED BY**
20 **REGULATION THAT THE USE OF PFAS CHEMICALS IS A CURRENTLY UNAVOIDABLE**
21 **USE.**

22 **(B) ON OR AFTER JANUARY 1, 2028, A MANUFACTURER MAY NOT SELL,**
23 **OFFER FOR SALE, DISTRIBUTE, OR DISTRIBUTE FOR SALE IN THE STATE, DIRECTLY**
24 **OR INDIRECTLY OR THROUGH INTERMEDIARIES, THE FOLLOWING PRODUCTS IF THE**
25 **PRODUCT CONTAINS INTENTIONALLY ADDED PFAS CHEMICALS:**

26 **(1) A CLEANING PRODUCT;**

27 **(2) COOKWARE;**

28 **(3) A COSMETIC;**

29 **(4) A PERSONAL CARE PRODUCT;**

1 **(5) A FEMININE HYGIENE PRODUCT;**

2 **(6) A PET FOOD PACKAGE OR PACKAGING COMPONENT INTENDED**
3 **FOR DIRECT FOOD CONTACT WITH PET FOOD;**

4 **(7) A JUVENILE PRODUCT; OR**

5 **(8) AN INTIMACY PRODUCT.**

6 **(C) ON OR AFTER JANUARY 1, 2029, A MANUFACTURER MAY NOT SELL,**
7 **OFFER FOR SALE, DISTRIBUTE, OR DISTRIBUTE FOR SALE IN THE STATE, DIRECTLY**
8 **OR INDIRECTLY OR THROUGH INTERMEDIARIES, THE FOLLOWING PRODUCTS IF THE**
9 **PRODUCT CONTAINS INTENTIONALLY ADDED PFAS CHEMICALS:**

10 **(1) A FABRIC TREATMENT;**

11 **(2) SKI WAX;**

12 **(3) A TEXTILE;**

13 **(4) TEXTILE FURNISHING;**

14 **(5) UPHOLSTERED FURNITURE; OR**

15 **(6) PAINT.**

16 **(D) (1) ON OR BEFORE JANUARY 1, 2027, THE DEPARTMENT SHALL**
17 **ADOPT REGULATIONS TO IDENTIFY CURRENTLY UNAVOIDABLE USES OF PFAS**
18 **CHEMICALS THAT:**

19 **(I) ARE ESSENTIAL FOR HEALTH, SAFETY, OR THE**
20 **FUNCTIONING OF SOCIETY; AND**

21 **(II) FOR WHICH ALTERNATIVES ARE NOT REASONABLY**
22 **AVAILABLE.**

23 **(2) IN DEVELOPING REGULATIONS UNDER THIS SUBSECTION, THE**
24 **DEPARTMENT SHALL CONSULT WITH:**

25 **(I) THE MARYLAND DEPARTMENT OF HEALTH; AND**

26 **(II) OTHER UNITS OF STATE GOVERNMENT AS THE**
27 **DEPARTMENT DEEMS NECESSARY.**

1 **6-1606.**

2 (A) THIS SECTION APPLIES TO ALL PRODUCTS CONTAINING
3 INTENTIONALLY ADDED PFAS CHEMICALS, REGARDLESS OF WHETHER THE
4 DEPARTMENT HAS DETERMINED THAT THE USE OF PFAS CHEMICALS IN THE
5 PRODUCT IS A CURRENTLY UNAVOIDABLE USE IN ACCORDANCE WITH § 6-1605(D)
6 OF THIS SUBTITLE.

7 (B) (1) EXCEPT AS PROVIDED IN SUBSECTION (D) OF THIS SECTION, ON
8 OR BEFORE JANUARY 1, 2028, EACH MANUFACTURER OF A PRODUCT SOLD,
9 OFFERED FOR SALE, DISTRIBUTED, OR DISTRIBUTED FOR SALE IN THE STATE,
10 DIRECTLY OR INDIRECTLY OR THROUGH INTERMEDIARIES, SHALL REGISTER THE
11 PRODUCT WITH THE DEPARTMENT BY:

12 (I) SUBMITTING TO THE DEPARTMENT A PFAS CHEMICALS
13 DISCLOSURE FORM PRESCRIBED BY THE DEPARTMENT; AND

14 (II) PAYING TO THE DEPARTMENT THE PFAS CHEMICALS
15 REGISTRATION FEE ESTABLISHED UNDER SUBSECTION (F) OF THIS SECTION.

16 (2) A MANUFACTURER SHALL SUBMIT A REVISION TO THE
17 INFORMATION PROVIDED ON A PFAS CHEMICALS DISCLOSURE FORM WITHIN 30
18 DAYS OF:

19 (I) A SIGNIFICANT CHANGE TO THE PREVIOUSLY PROVIDED
20 INFORMATION; OR

21 (II) RECEIVING A WRITTEN REQUEST FOR ADDITIONAL
22 INFORMATION FROM THE DEPARTMENT UNDER SUBSECTION (C) OF THIS SECTION.

23 (3) ON WRITTEN APPROVAL FROM THE DEPARTMENT, A
24 MANUFACTURER MAY PROVIDE THE INFORMATION REQUIRED UNDER THIS
25 SUBSECTION TO THE DEPARTMENT FOR A CATEGORY OR TYPE OF PRODUCT OR
26 PRODUCT COMPONENT.

27 (C) WITHIN 60 DAYS AFTER RECEIVING A PFAS CHEMICAL DISCLOSURE
28 FORM UNDER SUBSECTION (B) OF THIS SECTION, THE DEPARTMENT SHALL
29 PROVIDE WRITTEN NOTICE TO THE MANUFACTURER:

30 (1) CONFIRMING THAT THE INFORMATION IS COMPLETE; OR

1 **(2) REQUESTING ADDITIONAL INFORMATION FROM THE**
2 **MANUFACTURER.**

3 **(D) (1) THE DEPARTMENT MAY WAIVE THE OBLIGATION OF A**
4 **MANUFACTURER TO PROVIDE ALL OR PART OF THE INFORMATION REQUIRED**
5 **UNDER A PFAS DISCLOSURE FORM IF:**

6 **(I) THE DEPARTMENT DETERMINES THAT SUBSTANTIALLY**
7 **EQUIVALENT INFORMATION IS PUBLICLY AVAILABLE; OR**

8 **(II) THE MANUFACTURER DEMONSTRATES THAT THE PRODUCT**
9 **MEETS EQUIVALENT REGISTRATION REQUIREMENTS IN ANOTHER STATE OR**
10 **POLITICAL SUBDIVISION OF A STATE WITH WHICH THE DEPARTMENT HAS**
11 **ESTABLISHED AN INFORMATION SHARING AGREEMENT.**

12 **(2) THE DEPARTMENT MAY ENTER INTO AN AGREEMENT WITH ONE**
13 **OR MORE STATES OR POLITICAL SUBDIVISIONS OF A STATE TO COLLECT**
14 **INFORMATION ON PFAS CHEMICAL USE AND MAY ACCEPT INFORMATION TO A**
15 **SHARED SYSTEM AS MEETING THE INFORMATION REQUIREMENTS ESTABLISHED**
16 **FOR PFAS CHEMICALS DISCLOSURE FORMS UNDER THIS SECTION.**

17 **(3) A WAIVER GRANTED UNDER THIS SUBSECTION MAY BE GRANTED**
18 **FOR MULTIPLE PRODUCTS OR A PRODUCT CATEGORY.**

19 **(4) A WAIVER GRANTED UNDER THIS SUBSECTION DOES NOT**
20 **RELEASE A MANUFACTURER FROM THE OBLIGATION TO PAY THE PFAS CHEMICALS**
21 **REGISTRATION FEE ESTABLISHED UNDER SUBSECTION (F) OF THIS SECTION.**

22 **(E) THE DEPARTMENT MAY EXTEND THE DEADLINE FOR A MANUFACTURER**
23 **TO COMPLY WITH THE REQUIREMENTS OF SUBSECTION (B) OF THIS SECTION IF THE**
24 **DEPARTMENT DETERMINES THAT CIRCUMSTANCES MERIT AN EXTENSION.**

25 **(F) (1) THE DEPARTMENT SHALL, BY REGULATION, ESTABLISH A PFAS**
26 **CHEMICALS REGISTRATION FEE AT A LEVEL ADEQUATE TO COVER THE COSTS TO**
27 **THE DEPARTMENT OF PROCESSING, STORING, AND ENFORCING THE**
28 **REQUIREMENTS OF THIS SECTION.**

29 **(2) PFAS CHEMICALS REGISTRATION FEES COLLECTED UNDER THIS**
30 **SECTION SHALL BE DEPOSITED TO THE MARYLAND PFAS CHEMICALS PROTECTION**
31 **AND REMEDIATION FUND ESTABLISHED UNDER § 6-1612 OF THIS SUBTITLE.**

32 **(G) ON OR AFTER JANUARY 1, 2029, A MANUFACTURER MAY NOT SELL,**
33 **OFFER FOR SALE, DISTRIBUTE, OR DISTRIBUTE FOR SALE, DIRECTLY OR**

1 INDIRECTLY OR THROUGH INTERMEDIARIES, A PRODUCT THAT CONTAINS
2 INTENTIONALLY ADDED PFAS CHEMICALS UNLESS THE MANUFACTURER IS IN
3 COMPLIANCE WITH THE REQUIREMENTS OF THIS SECTION.

4 **6-1607.**

5 (A) FOR THE PURPOSE OF DETERMINING COMPLIANCE WITH THE
6 REQUIREMENTS OF THIS SUBTITLE:

7 (1) IF THE DEPARTMENT HAS REASON TO BELIEVE THAT A PRODUCT
8 CONTAINING INTENTIONALLY ADDED PFAS CHEMICALS IS BEING SOLD, OFFERED
9 FOR SALE, DISTRIBUTED, OR DISTRIBUTED FOR SALE IN THE STATE IN VIOLATION
10 OF THIS SUBTITLE, THE DEPARTMENT SHALL REQUIRE THE MANUFACTURER TO
11 TEST THE PRODUCT IN ACCORDANCE WITH SUBSECTION (B) OF THIS SECTION; AND

12 (2) AT LEAST ONCE PER YEAR, THE DEPARTMENT SHALL:

13 (i) RANDOMLY SELECT PRODUCTS IN EACH CATEGORY FOR
14 WHICH INTENTIONALLY ADDED PFAS CHEMICALS ARE PROHIBITED UNDER THIS
15 SUBTITLE; AND

16 (ii) REQUIRE EACH MANUFACTURER OF A RANDOMLY
17 SELECTED PRODUCT TO TEST THE PRODUCT IN ACCORDANCE WITH SUBSECTION (B)
18 OF THIS SECTION.

19 (B) THE DEPARTMENT MAY REQUIRE THE MANUFACTURER OF A PRODUCT,
20 WITHIN 30 DAYS AFTER RECEIVING WRITTEN NOTICE FROM THE DEPARTMENT, TO
21 PROVIDE THE DEPARTMENT WITH TESTING RESULTS THAT DEMONSTRATE THE
22 AMOUNT OF EACH PFAS CHEMICAL IN THE PRODUCT, IDENTIFIED BY THE
23 CHEMICAL'S ABSTRACTS SERVICE REGISTRY NUMBER, AND REPORTED:

24 (1) AS AN EXACT QUANTITY DETERMINED USING COMMERCIALY
25 AVAILABLE ANALYTICAL METHODS; OR

26 (2) AS FALLING WITHIN A RANGE APPROVED FOR REPORTING
27 PURPOSES BY THE DEPARTMENT.

28 (C) IF TESTING CONDUCTED UNDER THIS SECTION DEMONSTRATES THAT
29 THE PRODUCT DOES NOT CONTAIN INTENTIONALLY ADDED PFAS CHEMICALS, THE
30 MANUFACTURER SHALL PROVIDE THE DEPARTMENT WITH:

31 (1) A CERTIFICATE OF COMPLIANCE ATTESTING THAT THE PRODUCT
32 DOES NOT CONTAIN INTENTIONALLY ADDED PFAS SUBSTANCES;

1 **(2) THE TESTING RESULTS; AND**

2 **(3) ANY OTHER INFORMATION REQUESTED BY THE DEPARTMENT.**

3 **(D) IF TESTING CONDUCTED UNDER THIS SECTION DEMONSTRATES THAT**
4 **THE PRODUCT CONTAINS INTENTIONALLY ADDED PFAS CHEMICALS, THE**
5 **MANUFACTURER SHALL:**

6 **(1) WITHIN 30 DAYS AFTER RECEIVING THE TESTING RESULTS,**
7 **REGISTER THE PRODUCT WITH THE DEPARTMENT IN ACCORDANCE WITH § 6-1606**
8 **OF THIS SUBTITLE; AND**

9 **(2) IF THE SALE OF THE PRODUCT IS PROHIBITED IN THE STATE:**

10 **(I) NOTIFY EACH PERSON THAT SELLS, OFFERS FOR SALE,**
11 **DISTRIBUTES, OR DISTRIBUTES FOR SALE THE PRODUCT IN THE STATE THAT THE**
12 **PRODUCT IS PROHIBITED;**

13 **(II) PROVIDE THE DEPARTMENT WITH A LIST OF THE NAME AND**
14 **ADDRESS OF EACH PERSON NOTIFIED UNDER ITEM (I) OF THIS PARAGRAPH; AND**

15 **(III) BUY BACK ANY REMAINING STOCK OF THE PRODUCT FROM**
16 **A PERSON THAT SELLS, OFFERS FOR SALE, DISTRIBUTES, OR DISTRIBUTES FOR SALE**
17 **THE PRODUCT IN THE STATE AT THE ORIGINAL PURCHASE PRICE.**

18 **[6-1605.] 6-1608.**

19 **(A) A person who violates § 6-1603 OR § 6-1604 OF this subtitle is subject to:**

20 **(1) For a first violation, [a civil] AN ADMINISTRATIVE penalty not**
21 **exceeding \$500; and**

22 **(2) For a second or subsequent violation, [a civil] AND ADMINISTRATIVE**
23 **penalty not exceeding \$1,000.**

24 **(B) EXCEPT AS PROVIDED IN SUBSECTION (A) OF THIS SECTION, A**
25 **MANUFACTURER WHO VIOLATES A PROVISION OF THIS SUBTITLE IS SUBJECT TO AN**
26 **ADMINISTRATIVE PENALTY NOT EXCEEDING \$15,000.**

27 **(C) (1) THE DEPARTMENT MAY ISSUE AN ADMINISTRATIVE ORDER**
28 **REQUIRING A MANUFACTURER TO COMPLY WITH A REQUIREMENT OR PROHIBITION**
29 **ESTABLISHED UNDER THIS SUBTITLE.**

(2) (I) IN ADDITION TO THE PENALTIES PROVIDED UNDER SUBSECTIONS (A) AND (B) OF THIS SECTION, A MANUFACTURER WHO VIOLATES AN ADMINISTRATIVE ORDER ISSUED UNDER THIS SUBSECTION IS SUBJECT TO A CIVIL PENALTY NOT EXCEEDING \$25,000 TO BE COLLECTED IN A CIVIL ACTION BROUGHT BY THE DEPARTMENT.

(II) EACH DAY OF NONCOMPLIANCE WITH AN ADMINISTRATIVE ORDER SHALL BE CONSIDERED A SEPARATE VIOLATION FOR PURPOSES OF THIS PARAGRAPH.

(D) PENALTIES IMPOSED UNDER THIS SECTION SHALL BE IN ADDITION TO ANY DAMAGES, REMEDIATION OR CLEANUP COSTS, ENVIRONMENTAL RESTORATION COSTS, OR OTHER MONETARY OR NONMONETARY REMEDIES THAT MAY BE IMPOSED BY STATUTE, REGULATION, OR COURT ORDER.

(E) PENALTIES IMPOSED UNDER THIS SECTION SHALL BE DEPOSITED TO THE MARYLAND PFAS CHEMICALS PROTECTION AND REMEDIATION FUND ESTABLISHED UNDER § 6-1612 OF THIS SUBTITLE.

6-1609. RESERVED.

6-1610. RESERVED.

PART II. MARYLAND PFAS CHEMICALS PROTECTION AND REMEDIATION FUND AND GRANT PROGRAM.

6-1611.

IN THIS PART, "FUND" MEANS THE MARYLAND PFAS CHEMICALS PROTECTION AND REMEDIATION FUND.

6-1612.

(A) THERE IS A MARYLAND PFAS CHEMICALS PROTECTION AND REMEDIATION FUND.

(B) THE PURPOSE OF THE FUND IS TO FUND EFFORTS TO ASSESS, PREVENT, AND REMEDIATE CONTAMINATION FROM PFAS CHEMICALS ACROSS THE STATE'S WATERSHEDS, COMMUNITIES, AND ECOSYSTEMS.

(C) THE DEPARTMENT SHALL ADMINISTER THE FUND IN CONSULTATION WITH:

- 1 **(1) THE MARYLAND DEPARTMENT OF HEALTH;**
- 2 **(2) THE DEPARTMENT OF AGRICULTURE;**
- 3 **(3) THE DEPARTMENT OF NATURAL RESOURCES;**
- 4 **(4) THE CHESAPEAKE BAY TRUST; AND**
- 5 **(5) LOCAL HEALTH DEPARTMENTS.**

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

8 **(2) THE STATE TREASURER SHALL HOLD THE FUND SEPARATELY,**
9 **AND THE COMPTROLLER SHALL ACCOUNT FOR THE FUND.**

10 **(E) THE FUND CONSISTS OF:**

11 **(1) PFAS CHEMICAL REGISTRATION FEES COLLECTED UNDER §**
12 **6-1606 OF THIS SUBTITLE;**

13 **(2) ANY PENALTY IMPOSED UNDER:**

14 **(I) § 6-1608 OF THIS SUBTITLE;**

15 **(II) § 6-16A-05 OF THIS TITLE; OR**

16 **(III) § 9-1906 OF THIS ARTICLE;**

17 **(3) COST RECOVERY BY THE STATE FROM PFAS CHEMICALS**
18 **POLLUTERS UNDER STATE OR FEDERAL ENVIRONMENTAL LAWS;**

19 **(4) MONEY OBTAINED BY THE STATE THROUGH ANY CIVIL**
20 **SETTLEMENT OR CONSENT DECREE RELATED TO PFAS CHEMICALS POLLUTION;**

21 **(5) MONEY ACCEPTED FOR THE BENEFIT OF THE FUND THROUGH**
22 **PRIVATE DONATIONS, COST-SHARE AGREEMENTS, PUBLIC-PRIVATE**
23 **PARTNERSHIPS, OR INVESTMENTS RELATED TO ADDRESSING OR REMEDIATING**
24 **PFAS CHEMICALS POLLUTION;**

25 **(6) MONEY APPROPRIATED IN THE STATE BUDGET TO THE FUND;**

26 **(7) INTEREST EARNINGS; AND**

1 **(8) ANY OTHER MONEY FROM ANY OTHER SOURCE ACCEPTED FOR**
2 **THE BENEFIT OF THE FUND.**

3 **(F) THE FUND MAY BE USED ONLY FOR:**

4 **(1) ASSESSING AND MONITORING PFAS CHEMICALS POLLUTION,**
5 **INCLUDING:**

6 **(I) SAMPLING PUBLIC AND PRIVATE WATER SUPPLY WELLS,**
7 **SURFACE WATERS, SOILS, AND FISH TISSUE; AND**

8 **(II) CREATING AND OPERATING A PUBLIC PFAS CHEMICALS**
9 **DATE MAP AND REGISTRY OF CONTAMINATED SITES;**

10 **(2) IMPLEMENTING COMMUNITY ASSISTANCE AND REMEDIATION**
11 **INITIATIVES, INCLUDING:**

12 **(I) PROVIDING EMERGENCY RELIEF TO HOUSEHOLDS AND**
13 **FARM OPERATIONS IMPACTED BY PFAS CHEMICALS CONTAMINATION;**

14 **(II) PROVIDING TECHNICAL AND FINANCIAL ASSISTANCE TO**
15 **WATER SYSTEMS REGULATED UNDER THE FEDERAL SAFE DRINKING WATER ACT,**
16 **SMALL WASTEWATER TREATMENT SYSTEMS, AND OVERBURDENED OR**
17 **UNDERSERVED COMMUNITIES; AND**

18 **(III) CONDUCTING COMMUNITY HEALTH STUDIES, EDUCATION,**
19 **AND OUTREACH;**

20 **(3) SUPPORTING RESEARCH AND INNOVATION RELATED TO PFAS**
21 **CHEMICALS POLLUTION, INCLUDING:**

22 **(I) DEVELOPING, IMPROVING, AND VALIDATING THE**
23 **EFFECTIVENESS AND COST-EFFECTIVENESS OF TECHNOLOGIES FOR THE**
24 **DETECTION AND REMEDIATION OF PFAS CHEMICALS; AND**

25 **(II) IMPLEMENTING RESEARCH AND DEVELOPMENT PROJECTS**
26 **RELATED TO THE REMOVAL OF PFAS CHEMICALS FROM VARIOUS ENVIRONMENTAL**
27 **MEDIA, INCLUDING WASTEWATER INFLUENT AND EFFLUENT, SEWAGE SLUDGE,**
28 **LANDFILL LEACHATE, AND STORMWATER;**

(4) IN ACCORDANCE WITH § 6-1613 OF THIS SUBTITLE, PROVIDING GRANTS AND LOANS RELATED TO THE PURPOSES SPECIFIED UNDER PARAGRAPHS (1) THROUGH (3) OF THIS SUBSECTION;

(5) OFFSETTING THE ADMINISTRATIVE COSTS INCURRED BY THE DEPARTMENT TO DESIGN AND IMPLEMENT PROGRAMS RELATED TO PFAS CHEMICALS, INCLUDING THE DEVELOPMENT OF REGULATIONS; AND

(6) SUPPORTING ENFORCEMENT ACTIONS BROUGHT BY THE STATE AGAINST DISCHARGERS, EMITTERS, AND OTHER USERS OF PFAS CHEMICALS POLLUTERS, INCLUDING ADMINISTRATIVE EXPENSES RELATED TO ENFORCEMENT ACTIONS.

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

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

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

(I) ON OR BEFORE JANUARY 15 EACH YEAR, THE DEPARTMENT SHALL REPORT TO THE SENATE COMMITTEE ON EDUCATION, ENERGY, AND THE ENVIRONMENT AND THE HOUSE ENVIRONMENT AND TRANSPORTATION COMMITTEE, IN ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE, ON THE STATUS OF THE FUND, INCLUDING A DETAILED DESCRIPTION OF ALL REVENUES AND EXPENDITURES OF THE FUND FOR THE PREVIOUS YEAR.

6-1613.

(A) THE DEPARTMENT SHALL PROVIDE GRANTS AND LOANS FROM THE FUND TO PUBLIC AND PRIVATE ENTITIES FOR PROJECTS RELATED TO THE PURPOSES OF THE FUND.

(B) GRANTS AND LOANS SHALL BE AWARDED ON A COMPETITIVE BASIS.

(C) IN AWARDING GRANTS AND LOANS UNDER THIS SECTION, THE DEPARTMENT SHALL:

(1) PRIORITIZE PROJECTS THAT LEVERAGE OTHER SOURCES OF FUNDING, INCLUDING FEDERAL, LOCAL, OR PRIVATE SOURCES;

(2) RESERVE AT LEAST 35% OF THE TOTAL FUNDING ALLOCATED FOR GRANTS AND LOANS UNDER THIS SECTION FOR PROJECTS ADDRESSING COMMUNITY AND PUBLIC HEALTH THREATS RELATED TO PFAS CHEMICALS CONTAMINATION; AND

(3) TO THE EXTENT FEASIBLE, COORDINATE WITH OTHER STATE GRANT- AND LOAN-MAKING PROGRAMS, INCLUDING PROGRAMS FUNDED UNDER THE BAY RESTORATION FUND, THE CHESAPEAKE AND ATLANTIC COASTAL BAYS 2010 TRUST FUND, THE MARYLAND CLEAN WATER FUND, AND THE MARYLAND AGRICULTURAL WATER QUALITY COST-SHARE PROGRAM.

(D) THE DEPARTMENT SHALL DEVELOP AND PUBLISH CRITERIA FOR PROJECT APPLICATIONS IN CONSULTATION WITH THE AGENCIES AND ENTITIES SPECIFIED UNDER § 6-1612(C) OF THIS SUBTITLE.

(E) THE DEPARTMENT SHALL MAINTAIN A PUBLIC WEBSITE LISTING DETAILED INFORMATION REGARDING:

(1) EACH AWARD MADE UNDER THIS SECTION; AND

(2) THE OUTCOMES OF EACH PROJECT FUNDED UNDER THIS SECTION.

6-16A-05.

(C) PENALTIES IMPOSED UNDER THIS SECTION SHALL BE DEPOSITED IN THE MARYLAND PFAS CHEMICALS PROTECTION AND REMEDIATION FUND ESTABLISHED UNDER § 6-1612 OF THIS TITLE.

9-1906.

(D) PENALTIES IMPOSED UNDER THIS SECTION FOR VIOLATIONS OF § 9-1902(D) OF THIS SUBTITLE SHALL BE DEPOSITED IN THE MARYLAND PFAS CHEMICALS PROTECTION AND REMEDIATION FUND ESTABLISHED UNDER § 6-1612 OF THIS ARTICLE.

Article – State Finance and Procurement

6-226.

(a) (2) (ii) Notwithstanding any other provision of law, and unless inconsistent with a federal law, grant agreement, or other federal requirement or with the terms of a gift or settlement agreement, net interest on all State money allocated by the State Treasurer under this section to special funds or accounts, and otherwise entitled to

1 receive interest earnings, as accounted for by the Comptroller, shall accrue to the General
2 Fund of the State.

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

5 212. the Department of Social and Economic Mobility Special
6 Fund; [and]

7 213. the Population Health Improvement Fund; AND

8 **214. THE MARYLAND PFAS CHEMICALS PROTECTION**
9 **AND REMEDIATION FUND.**

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