

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.



1 (2013 Replacement Volume and 2025 Supplement)

2 BY adding to
3 Article – Environment
4 Section 6–1605 through 6–1607; 6–1611 through 6–1613 to be under the new part
5 “Part II. Maryland PFAS Chemicals Protection and Remediation Fund and
6 Grant Program”; and 6–16A–05(c)
7 Annotated Code of Maryland
8 (2013 Replacement Volume and 2025 Supplement)

9 BY adding to
10 Article – Environment
11 Section 9–1906(d)
12 Annotated Code of Maryland
13 (2014 Replacement Volume and 2025 Supplement)

14 BY repealing and reenacting, without amendments,
15 Article – State Finance and Procurement
16 Section 6–226(a)(2)(ii)
17 Annotated Code of Maryland
18 (2021 Replacement Volume and 2025 Supplement)

19 BY repealing and reenacting, with amendments,
20 Article – State Finance and Procurement
21 Section 6–226(a)(2)(iii)212. and 213.
22 Annotated Code of Maryland
23 (2021 Replacement Volume and 2025 Supplement)

24 BY adding to
25 Article – State Finance and Procurement
26 Section 6–226(a)(2)(iii)214.
27 Annotated Code of Maryland
28 (2021 Replacement Volume and 2025 Supplement)

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

31 **Article – Environment**

32 **PART I. REQUIREMENTS AND PROHIBITIONS.**

33 6–1601.

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

35 (b) “Class B fire–fighting foam” or “foam” means a foam designed for flammable
36 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:

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.

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:

- 1 **2. A BEDSIDE SLEEPER;**
- 2 **3. A CO-SLEEPER;**
- 3 **4. A CRIB MATTRESS;**
- 4 **5. A TODDLER MATTRESS;**
- 5 **6. AN INFANT TRAVEL BED;**
- 6 **7. A NAP COT;**
- 7 **8. A PORTABLE FOAM NAP MAT;**
- 8 **9. A PORTABLE INFANT SLEEPER;**
- 9 **10. A SOFT-SIDED PORTABLE CRIB;**
- 10 **11. AN INFANT SLEEP POSITIONER; OR**
- 11 **12. ANY OTHER PRODUCT LABELED AND INTENDED AS A**
- 12 **SLEEP SURFACE FOR INFANTS OR CHILDREN;**

13 **(III) A CHILD RESTRAINT SYSTEM FOR USE IN A MOTOR VEHICLE**

14 **OR ON AIRCRAFT;**

15 **(IV) A BOOSTER SEAT, HIGHCHAIR, HIGHCHAIR PAD, OR**

16 **PORTABLE HOOK-ON CHAIR;**

17 **(V) A PLAY MAT, PLAYPEN, OR PLAY YARD;**

18 **(VI) AN INFANT WALKER, INFANT SEAT, INFANT SWING, OR**

19 **INFANT BOUNCER;**

20 **(VII) A STROLLER OR AN INFANT CARRIER;**

21 **(VIII) A NURSING PAD OR NURSING PILLOW; AND**

22 **(IX) A CHANGING PAD.**

23 **(3) “JUVENILE PRODUCT” DOES NOT INCLUDE:**

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

- 1 **1. A PERSONAL COMPUTER;**
- 2 **2. AUDIO OR VIDEO EQUIPMENT;**
- 3 **3. CALCULATOR;**
- 4 **4. WIRELESS PHONE;**
- 5 **5. GAME CONSOLE;**
- 6 **6. HANDHELD DEVICE INCORPORATING A VIDEO**
- 7 **SCREEN; OR**

8 **7. ANY ASSOCIATED PERIPHERAL DEVICE, SUCH AS A**
9 **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;**

3 (IV) SHAVING GEL; OR

4 (V) SUNSCREEN.

5 (3) "PERSONAL CARE PRODUCT" DOES NOT INCLUDE A PRODUCT FOR
6 WHICH A PRESCRIPTION IS REQUIRED FOR DISTRIBUTION OR DISPENSATION.

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

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

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

15 (1) Commercial or residential broadloom carpet; and

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

17 (Q) (1) "SKI WAX" MEANS A LUBRICANT APPLIED TO THE BOTTOM OF A
18 SNOW RUNNER, INCLUDING A SKI OR A SNOWBOARD, TO IMPROVE GRIP OR GLIDE
19 PROPERTIES.

20 (2) "SKI WAX" INCLUDES ASSOCIATED TUNING PRODUCTS.

21 [(g)] (R) “Terminal” means:

(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.

4 (2) "TEXTILE" INCLUDES:

5 (I) OUTERWEAR; AND

6 (II) BEDDING.

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

11 (U) "UPHOLSTERED FURNITURE" MEANS FURNITURE THAT IS WHOLLY OR
12 PARTIALLY STUFFED WITH A FILLING MATERIAL.

13 6-1602.

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

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

17 (1) SUBTITLE 16A OF THIS TITLE;

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

19 (3) § 21–259.2 OF THE HEALTH – GENERAL ARTICLE.

20 6-1603.

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

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

(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

10 (ii) Shall:

1. Fully contain all releases on site;

2. Implement containment measures, including bunds and berms and impervious to PFAS chemicals and do not allow firewater, other wastes to be released into the environment, including soils, groundwater, and stormwater;

3. Dispose of all firewater, wastewater, runoff, and other
waste releases into the environment;

4. Within 5 days after a release in violation of item (i) of this
ease to the Department, including information on the identity of
ed, the total PFAS concentration, and the form of any waste that
; and

5. Maintain documentation on any measures taken under

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

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

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

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

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

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

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

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

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

26 (2) IN A LANDFILL.

27 [6-1604.

28 A person may not dispose of a Class B fire-fighting foam that contains intentionally
29 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

33 (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;**

(5) A FEMININE HYGIENE PRODUCT;

(6) A PET FOOD PACKAGE OR PACKAGING COMPONENT INTENDED
FOR FOOD CONTACT WITH PET FOOD;

(7) A JUVENILE PRODUCT; OR

(8) AN INTIMACY PRODUCT.

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

(1) A FABRIC TREATMENT;

(2) SKI WAX;

(3) A TEXTILE;

(4) TEXTILE FURNISHING;

(5) UPHOLSTERED FURNITURE; OR

(6) PAINT.

(D) (1) ON OR BEFORE JANUARY 1, 2027, THE DEPARTMENT SHALL
T REGULATIONS TO IDENTIFY CURRENTLY UNAVOIDABLE USES OF PFAS
HICALS THAT:

(I) ARE ESSENTIAL FOR HEALTH, SAFETY, OR THE SOCIETY; AND

(II) FOR WHICH ALTERNATIVES ARE NOT REASONABLY

(2) IN DEVELOPING REGULATIONS UNDER THIS SUBSECTION, THE
ENT SHALL CONSULT WITH:

(I) THE MARYLAND DEPARTMENT OF HEALTH; AND

(II) OTHER UNITS OF STATE GOVERNMENT AS THE EMS 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:

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

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.

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 COMMERCIALLY**
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;**

(2) THE TESTING RESULTS; AND

(3) ANY OTHER INFORMATION REQUESTED BY THE DEPARTMENT.

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

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

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

(I) NOTIFY EACH PERSON THAT SELLS, OFFERS FOR SALE, DIBUTES, OR DISTRIBUTES FOR SALE THE PRODUCT IN THE STATE THAT THE UCT IS PROHIBITED;

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

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

18 [6-1605.] 6-1608.

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

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

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

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

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

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

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

16 6-1609. RESERVED.

17 6-1610. RESERVED.

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

20 6-1611.

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

23 6-1612.

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

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

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

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

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:

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

(6) MONEY APPROPRIATED IN THE STATE BUDGET TO THE FUND:

26 (7) INTEREST EARNINGS: AND

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

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

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

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

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

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

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

23 6-1613.

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

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

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

5 (3) TO THE EXTENT FEASIBLE, COORDINATE WITH OTHER STATE
6 GRANT- AND LOAN-MAKING PROGRAMS, INCLUDING PROGRAMS FUNDED UNDER
7 THE BAY RESTORATION FUND, THE CHESAPEAKE AND ATLANTIC COASTAL BAYS
8 2010 TRUST FUND, THE MARYLAND CLEAN WATER FUND, AND THE MARYLAND
9 AGRICULTURAL WATER QUALITY COST-SHARE PROGRAM.

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

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

15 (1) EACH AWARD MADE UNDER THIS SECTION; AND

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

18 6-16A-05.

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

22 9-1906.

23 (D) PENALTIES IMPOSED UNDER THIS SECTION FOR VIOLATIONS OF §
24 9-1902(D) OF THIS SUBTITLE SHALL BE DEPOSITED IN THE MARYLAND PFAS
25 CHEMICALS PROTECTION AND REMEDIATION FUND ESTABLISHED UNDER § 6-1612
26 OF THIS ARTICLE.

Article – State Finance and Procurement

28 6-226.

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.