



LEGISLATIVE POSITION:

Unfavorable

Senate Bill 653

Standing - Environmental and Natural Resources Protection Proceedings (Clean Water Justice Act of 2024)

Senate Education, Energy and the Environment Committee

Tuesday, February 27, 2024

Dear Chairman Feldman and Members of the Committee:

Founded in 1968, the Maryland Chamber of Commerce is the leading voice for business in Maryland. We are a statewide coalition of more than 6,800 members and federated partners working to develop and promote strong public policy that ensures sustained economic growth and prosperity for Maryland businesses, employees, and families.

SB 653 stands to dramatically expand legal standing for environmental and natural resources related suits, including a private right of action. This increase in legal standing with the inclusion of a large number of titles and permits could impact building operations, land use and development, manufacturing, product development, and more. SB 653 lacks any kind of standard upon which to measure, and without a standard to measure against, individuals are free to allege “a negative impact, or the *threat* of a negative impact to their health or to the use and enjoyment of a natural resource or environment” against almost anything. Further, Maryland’s environmental laws, like all state and federal environmental statutes and regulations, currently protect our State’s environment and natural resources.

Expanding the legal standing for environmental suits in Maryland will lead to increased litigation and costs for businesses. Additionally, this expansion in legal standing will deter investment and economic development in Maryland, as businesses will be hesitant to operate in an environment with heightened litigation risks. The private right of action further opens Maryland’s business, especially small businesses, to additional liability that would add yet another degree of uncertainty in already turbulent times.

Maryland businesses take seriously their role and impact in ensuring a sustainable future. Evident in the many greenhouse gas reduction and sustainability plans now common among private industry. However, SB 653 is not the correct avenue as it provides individuals with a right to bring suit for almost any reason they see fit, resulting in concern over frivolous lawsuits and unintended consequences for businesses and the economy. The liability concern is immense.

For these reasons, the Chamber respectfully requests an **unfavorable report** on **SB 653**.