



House Bill 1112

Position: Unfavorable

Committee: House Judiciary

Date: March 5, 2025

Founded in 1968, the Maryland Chamber of Commerce (the Chamber) is the leading voice for business in Maryland. We are a statewide coalition of more than 7,000 members and federated partners working to develop and promote strong public policy that ensures sustained economic health and growth for Maryland businesses, employees, and families.

House Bill 1112 (HB 1112) would prohibit the manufacturing, selling, or distributing of any consumer products that contain PFAS in the state by July 1, 2026. HB 1112 also would expand liability by creating a separate cause of action for PFAS exposure with extended time limits for filing claims.

Fluorinated chemicals, otherwise known as per- and polyfluoroalkyl substances (PFAS), are a diverse family of chemistry that make possible the use of products that are central to our everyday lives such as: technology and electronics, aerospace and automotive, alternative energy, medical devices and healthcare, building materials, and much more.

However, not all PFAS are created equal. Each individual chemistry has its own unique properties and uses. HB 1112 treats all PFAS as if they pose equal risks, ignoring well-established differences in toxicity, environmental persistence, and exposure pathways. Fluoropolymers, for example, are a distinct class within the broad PFAS group. High molecular weight fluoropolymers are highly stable, too large to be bioavailable, and do not have the potential to become widespread in the environment. Data shows that the properties of fluoropolymers present low health and environmental hazards.

Overly Broad Scope and Economic Impact

HB 1112 proposes the most expansive ban on PFAS-containing products in the nation. This approach does not distinguish between different types of PFAS, their varying levels of risk (some of which have been widely recognized as having low health and environmental risk), or the essential roles they play in critical industries. As drafted, this legislation would disrupt supply chains, increase costs for businesses and consumers, and put Maryland companies at a competitive disadvantage.

Additionally, states and counties that have attempted broad PFAS bans have faced significant implementation challenges, supply chain disruptions, and economic repercussions. For instance, Maine has issued over 2,400 reporting extensions to companies due to supply chain complexity,

testing limitations, and regulatory uncertainty, necessitating legislative rollbacks. Minnesota has already needed to adopt amendments to its law as businesses struggle with compliance and unsellable inventory. The European Union has delayed implementation of its PFAS ban due to the far-reaching economic and technological consequences.

Unrealistic Timeline and Lack of Viable Alternatives

This legislation would take effect on July 1, 2026, less than one year after its potential enactment. It proposes to do this without an established regulatory process and timeline. As a result, it would be unrealistic to assume that manufacturers, distributors, and retailers will have the alternatives and tools required to comply with the law, particularly in such a short period of time. Additionally, in the absence of regulatory assessment on the performance of PFAS alternatives, there is no way to demonstrate that their replacement would be an improvement over the current product.

Expanded Civil Liability

HB 1112 significantly expands civil liability for businesses by creating a separate cause of action for PFAS exposure. The bill extends the statute of limitations for injury and death caused by PFAS exposure to 10 years from the date of exposure or 3 years from discovery of injury or death. Businesses that have complied with existing environmental and safety regulations could still face lawsuits years or even decades later, with no clear legal defenses or safe harbors provided under the bill.

The expansive liability provisions invite litigation against a broad range of businesses, including those that simply distribute or sell products containing PFAS, even if they did not manufacture or intentionally introduce the chemicals. Additionally, the uncapped liability exposure could lead to higher insurance costs, reduced investment in Maryland businesses, and supply chain disruptions as companies face heightened legal risks. By failing to provide a balanced, risk-based framework for liability, HB 1112 opens the door to excessive litigation, making Maryland an outlier in legal exposure compared to other states.

Conflicts with Maryland's Workers' Compensation Laws

Additionally, HB 1112 raises conflicts with Maryland's Workers' Compensation laws, particularly Labor & Employment Article, Section 9. The bill's expansion of liability contradicts existing laws on occupational disease as defined in 9-101(g) and 9-502 of the Workers' Compensation Act. Furthermore, under 9-509(b), Workers' Compensation is the exclusive remedy for work-related injuries in Maryland, meaning employees and dependents cannot pursue additional civil actions against employers for workplace exposures. HB 1112's new liability provisions would directly conflict with this established legal framework and expose businesses to dual liability, undermining the balance set by Maryland's Workers' Compensation system.

A More Balanced Approach



While we support responsible measures to safeguard public health and the environment, HB 1112 takes an overly broad approach that would have sweeping and unintended economic consequences for Maryland businesses and consumers. Rather than an indiscriminate ban, we urge the legislature to take a science-based, risk-informed approach that focuses on the highest-risk PFAS, exemptions for essential uses in critical industries, and a clear regulatory pathway for businesses to transition to alternatives, where viable and proven alternatives exist.

For these reasons, the Chamber respectfully requests an unfavorable report on **HB 1112**.

