

WES MOORE  
*Governor*

ARUNA MILLER  
*Lieutenant Governor*



YAAKOV "JAKE" WEISSMANN  
*Acting Secretary*

MARC L. NICOLE  
*Deputy Secretary*

**TITLE: HB144 Commercial Law – Fair Pricing and Market Competition Fund – Establishment**

**DATE: February 10th 2026**

**COMMITTEE: Economic Matters**

**SUMMARY OF BILL:** This bill establishes the Fair Practice and Market Competition Fund, a special non-lapsing fund dedicated exclusively to the Antitrust Division of the Office of the Attorney General. The bill redirects civil penalties and damages related to antitrust violations, which currently flow into the General Fund, to this new special fund. Additionally, it requires budget appropriations from FY 2028 through FY 2033 to fund a full-time investigator position.

**POSITION: Opposition**

**EXPLANATION:** The Department of Budget and Management opposes HB144 because it reduces General Fund revenue and creates a new mandate. Specifically, it redirects civil penalties and damages related to antitrust violations that are currently deposited in the General Fund to a new non-lapsing fund. While antitrust recoveries vary, the OAG has historically recovered between \$500,000 and \$3.0 million annually. Under this bill, 100% of these civil penalties would be diverted from the General Fund. Additionally, the bill mandates an appropriation to fund a full-time investigator position, from FY2028 through FY 2033, adding an estimated 125,000, including fringe benefits, to annual personnel costs.

The Department of Budget and Management (DBM) is charged with submitting a balanced budget to the General Assembly annually and will be working with the General Assembly to achieve structural balance over the long term. This mission is further complicated by significant federal uncertainty in both policy and budgetary areas, which requires the State to maintain greater fiscal resilience. In light of the current fiscal crisis, the state government must be disciplined and strategic in its budget decisions to protect essential services. Due to the projected diversion from the General Fund and the creation of an unfunded spending mandate during a

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period of significant fiscal constraint, the Department of Budget and Management respectfully requests an unfavorable report on HB 144.

**For additional information, contact Dana Phillips at  
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