



Committee: Education, Energy, and the Environment
Testimony: SB0266, Local Government – Regulatory Powers – Regulation of Tree of Heaven
Position: Favorable with Amendments
Hearing Date: February 10, 2026

The Maryland Chapter of the Sierra Club supports SB 266 with sponsor amendments. This bill would enable counties and municipalities to pass ordinances against tree of heaven and all trees on the Maryland Department of Agriculture’s **Prohibited Invasive Plant List**.¹ The bill would also authorize local governments to create bounty programs that could help property owners remove invasive plants and replace them with natives. Because SB 266 is an enabling bill, it provides counties and municipalities with the authority to decide whether to implement a number of reasonable, common-sense approaches.

According to the federal definition, **invasive species are non-natives that cause harm to the environment, the economy, or health**.² Maryland’s definition is derived from this version. Invasive plants suppress, overwhelm, and even kill beneficials. These damaging species spread by growing rapidly, producing numerous seeds or offshoots, and using wildlife, wind, and water to carry the plants to new locations. Unlike natives, invasives are not kept in check by diseases or native insects, deer, or other herbivores.

Invasive species are creating an ecological disaster in Maryland, the Mid-Atlantic Region, and the U.S. For example, tree of heaven has spread throughout Maryland, with a mature tree producing over 300,000 seeds annually. This tree serves as a host plant for the invasive spotted lanternfly which can decimate vineyards, and damages maples, black walnuts, and other native trees. By providing incentives for property owners to replace invasives with natives and to control plants spreading from their land, counties and municipalities can take a crucial step in managing this problem locally.

The invasive plants we grow on our properties are the biggest contributor to the invasives’ taking over. Scientific studies have determined that ornamental woody plants, such as trees and shrubs, escaping into natural areas are the major source of invasive plant introductions in the U.S.³ **60% of invasives have originated from ornamental plantings**, 30% from conservation activities like erosion control, and a mere 10% by accidental introductions from sources like ship ballast or packing materials.⁴ In addition, the impact of the plants we grow can be seen in a study of 672 U.S. nurseries, which found many infestations of the invasives sold by the nurseries within 13 miles of the businesses.⁵

¹ Maryland Department of Agriculture. Accessed 2/1/26. Maryland Invasive Plants Prevention and Control. https://mda.maryland.gov/plants-pests/pages/maryland_invasive_plants_prevention_and_control.aspx.

² Executive Office of the President. 2016. Executive Order 13751 of December 5, 2016: Safeguarding the Nation from the Impacts of Invasive Species. Federal Register. National Archives. www.federalregister.gov/documents/2016/12/08/2016-29519/safeguarding-the-nation-from-the-impacts-of-invasive-species

³ S.H. Reichard & Hamilton, C.W. 2002. Predicting Invasions of Woody Plants Introduced into North America. *Conserv Biol.* 2002 Feb 27;11(1):193–203. <https://doi.org/10.1046/j.1523-1739.1997.95473.x>

⁴ Cornell Botanic Gardens. Accessed 2/1/26. Invasive Plants: FAQs. <https://cornellbotanicgardens.org/conserve/invasive-species/invasive-plants-faqs#:~:text=Horticultural%20activity%2C%20such%20as%20planting,ballast%20of%20early%20sailing%20ships.>

⁵ E.M. Beaury et al. 2023. Horticulture could facilitate invasive plant range infilling and range expansion with climate change. *BioScience*, Vol. 73, Issue 9, Sep 2023, Pages 635–642, <https://doi.org/10.1093/biosci/biad069>



Tree of heaven (*Ailanthus altissima*)
with huge numbers of fruits/seeds



Japanese angelica tree (*Aralia elata*)
with large spines on the trunk

Invasives thrive in disturbed areas like our gardens and tolerate a variety of growing conditions. Then, invasives, such as Callery pear or Japanese angelica tree, out-compete natives by strategies that can include shading, releasing chemicals, and monopolizing resources. Once invasives become established, they are difficult to control.

Furthermore, invasive plants that are not eliminated or controlled on nearby properties can cause big headaches for neighbors. The risk is that the plants will spread and at a minimum destroy landscaping. In addition, tree of heaven and other harmful species can damage hardscaping, such as patios and walkways, and even compromise underground utilities and house foundations. Subsequent repairs can total thousands to hundreds of thousands of dollars. For example, underground rhizomes of aggressive invasives have been known to destroy the integrity of drainage pipes and foundations, thereby causing flooding within houses.

The big picture is that invasives cause problems throughout Maryland. However, individual homeowners can make a huge difference, especially when they work together with their neighbors.

SB 266 and any resulting ordinances can help educate property owners about what invasive plants are and the problems these harmful plants cause. By enabling counties and municipalities to take these small steps, we can help both ourselves and the environment.

The Maryland Sierra Club respectfully requests a favorable report on SB 266 with sponsor amendments.

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