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STATE OF MARYLAND
OFFICE OF THE ATTORNEY GENERAL
CRIMINAL DIVISION
ENVIRONMENTAL AND NATURAL
RESOURCES CRIMES UNIT

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TO: The Honorable Brian J. Feldman
Chair, Education, Energy, and the Environment Committee

FROM: D'Arcy Talley
Unit Chief, Office of the Attorney General, Environmental and Natural
Resources Crimes Unit

RE: House Bill 218 – Office of the Attorney General - Environmental and
Natural Resources Crimes Unit - Reporting Requirement (Support)

The Office of the Attorney General (OAG) respectfully presents House Bill 218 – Office of the Attorney General - Environmental and Natural Resources Crimes Unit - Reporting Requirement (Support) as one of our legislative priorities for the 2026 legislative session. HB 218, although not designated as an official cross-file, is identical to SB 184 as this Committee passed it. Like SB 184, HB 218 proposes to alter the date, from November 30 to October 1 each year, by which the Office of the Attorney General must report on certain activities of the Office's Environmental and Natural Resources Crimes Unit and certain activities taken by the Department of the Environment and the Department of Natural Resources in response to findings of the Unit.

As Maryland's elected Chief Legal Officer, the Attorney General supervises and directs the legal business of the State. The OAG advises and represents State institutions, agencies, boards, commissions, and officials, while representing Maryland's interests in state and federal litigation. The OAG uses its authority to enforce the rule of law, protect Marylanders, and promote the public good.

Currently, the Environmental and Natural Resources Crimes Unit of OAG's Criminal Division has two statutory reporting obligations that require the same or similar environmental criminal enforcement information, but that address two separate periods of time. The Unit is statutorily required to produce an annual report to the Governor and General Assembly on or before November 30th each year, covering October 1st of the prior year through September 30th of the reporting year. Additionally, the Unit reports criminal enforcement information as part of the

Maryland Department of the Environment's Annual Enforcement and Compliance Report, which, per statute, reports enforcement activities, including criminal enforcement, conducted during the previous fiscal year.

The concern is that when viewed together, the statistical information provided would not appear consistent. As they currently exist, these dual reporting requirements result in reporting the same enforcement information but for varied periods of time.

The purpose behind HB 218 is to make uniform the requisite timeframes of two separate statutory reporting obligations to ensure that statistical information of the Unit is consistently conveyed. As proposed, the bill would amend § 6-702(d) of the State Government Article, changing the reporting period to the previous fiscal year, thereby bringing it in line with MDE's annual enforcement and compliance report.

This legislation is needed for three major reasons. First, the existing competing statutory obligations create dual reporting requirements that are not aligned in terms of covered time periods, causing duplicative and inconsistent reporting of the same information.

Second, the proposed bill aligns the two reporting requirements, combining the covered timeframes by amending the Unit's annual reporting period to the previous fiscal year, thus better positioning it with the period covered in MDE's enforcement report.

Third, this minor change will create uniformity, conserve resources and streamline reporting, without sacrificing any information or accountability. This will improve the transparency of the Unit and further ensure that consistent enforcement information is reported and is available to the public.

For these reasons, the Office of the Attorney General respectfully urges this Committee to give HB 218 a favorable report, and we appreciate the Committee's consideration of this legislation.