

# **DraftAmendment\_TreeofHeaven.pdf**

Uploaded by: Benjamin Brooks

Position: FAV

A BILL ENTITLED

AN ACT concerning

**Local Government – Regulatory Powers – Regulation of Tree of Heaven AND TREES ON THE MARYLAND DEPARTMENT OF AGRICULTURE’S PROHIBITED INVASIVE PLANT LIST**

FOR the purpose of authorizing the governing body of a county or municipality to adopt Certain ordinances to regulate tree[s] of heaven **AND TREES ON MDA’S PROHIBITED INVASIVE PLANT LIST**; authorizing the governing body of a county or municipality to establish a bounty program to incentivize the removal of tree[s] of heaven **AND TREES ON MDA’S PROHIBITED INVASIVE PLANT LIST**; and generally relating to the local management of tree[s] of heaven **AND TREES ON MDA’S PROHIBITED INVASIVE PLANT LIST**.

BY repealing and reenacting, with amendments,  
Article – Local Government  
Section 1–1318  
Annotated Code of Maryland

Preamble

WHEREAS, Invasive species are nonnative plants, [and] animals, **AND PATHOGENS** whose introduction causes harm to human health, environmental harm, or economic harm – typically through unchecked [growth] **SPREAD**; and

WHEREAS, The tree of heaven is a nonnative, deciduous hardwood tree that is considered an invasive species throughout North America because the species spreads quickly and aggressively, crowding out native plants with dense greenery while secreting a chemical into the soil that is toxic to surrounding plants; and

WHEREAS, The tree of heaven is the preferred habitat for the spotted lanternfly, another invasive species that is causing economic damage to the agricultural community, stressing native plant populations, and generally acting as a nuisance statewide; **AND [now, therefore,]**

**WHEREAS, THE TREES ON MDA'S PROHIBITED INVASIVE PLANT LIST HAVE BEEN DETERMINED TO BE INVASIVE NONNATIVE TREE SPECIES THAT CAUSE HARM TO HUMAN HEALTH, ENVIRONMENTAL HARM, OR ECONOMIC HARM; NOW, THEREFORE,**

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

**Article – Local Government**

1-1318

(a) (1) In this section[, “invasive”] **THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.**

(2) **“INVASIVE bamboo”** means **NONNATIVE** bamboo that is characterized by aggressive spreading behavior, including bamboo species in the genus *Phyllostachys*.

(3) **LISTED INVASIVE TREES MEANS THE TREES ON THE MARYLAND DEPARTMENT OF AGRICULTURE’S PROHIBITED INVASIVE PLANT LIST, ALSO KNOWN AS THE CONSOLIDATED LIST OF MARYLAND INVASIVE PLANT SPECIES.**

(4) **“NATIVE TREE REPLACEMENT PROGRAM” MEANS A PROGRAM WHEREBY A PERSON RECEIVES A NATIVE TREE ON THE COMMERCIAL MARYLAND NATIVE PLANT LIST IN EXCHANGE FOR REMOVING AND ERADICATING A TREE OF HEAVEN OR LISTED INVASIVE TREE.**

(5) **“TREE OF HEAVEN” MEANS THE AILANTHUS ALTISSIMA TREE SPECIES.**

(b) This section applies to all counties and municipalities.

(c) The governing body of a county or municipality, by ordinance, may regulate invasive bamboo, **[OR] TREE[S] OF HEAVEN, OR LISTED INVASIVE TREES**, including prohibiting a person from:

(1) selling invasive bamboo, **[OR] TREE[S] OF HEAVEN, OR LISTED INVASIVE TREES;**

(2) planting invasive bamboo, **[OR] TREE[S] OF HEAVEN, OR LISTED INVASIVE TREES;** [and]

(3) allowing invasive bamboo to grow on the property of the person without proper upkeep and appropriate containment measures, including barriers or trenches; **AND**

(4) **ALLOWING TREE[S] OF HEAVEN OR LISTED INVASIVE TREES TO GROW ON THE PERSON’S PROPERTY.**

(d) The governing body of a county or municipality may provide for the enforcement of an ordinance adopted under this section by:

(1) requiring any damages caused by invasive bamboo, **[OR] TREE[S] OF HEAVEN, OR LISTED INVASIVE TREES** to be mitigated; and

(2) establishing a civil fine.

**(E) THE GOVERNING BODY OF A COUNTY OR MUNICIPALITY MAY ESTABLISH A BOUNTY OR NATIVE TREE REPLACEMENT PROGRAM TO INCENTIVIZE THE REMOVAL AND ERADICATION OF TREE[S] OF HEAVEN AND LISTED INVASIVE TREES, SUCH THAT: [.]**

**(1) AN INVASIVE TREE IN A BOUNTY OR NATIVE TREE REPLACEMENT PROGRAM SHALL BE PROPERLY IDENTIFIED USING THE UNIVERSITY OF MARYLAND EXTENSION'S WEBPAGE FOR THAT SPECIES; AND**

**(2) THE PROPERLY IDENTIFIED INVASIVE TREE SHALL BE REMOVED AND ERADICATED ACCORDING TO PROFESSIONALLY ACCEPTED METHODS AS DESCRIBED OR REFERRED TO ON THE UNIVERSITY OF MARYLAND EXTENSION'S WEBPAGE FOR THAT SPECIES.**

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2026.

# **SB266\_BrooksB.pdf**

Uploaded by: Benjamin Brooks

Position: FAV

**BENJAMIN BROOKS**  
*Legislative District 10*  
Baltimore County

Education, Energy, and the  
Environment Committee  
Energy Subcommittee

Chair, Joint Electric Universal  
Service Program Workgroup



**THE SENATE OF MARYLAND**  
ANNAPOLIS, MARYLAND 21401

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**TESTIMONY IN SUPPORT OF SB 266**  
**Local Government – Regulatory Powers- Regulation of Tree of Heaven**  
Education, Energy and the Environment Committee  
February 3, 2026

**Chair Feldman, Vice Chair Kagan, and Members of the Committee:**

Thank you for the opportunity to testify before you on SB 266 Local Government - Regulatory Powers - Regulation of Tree of Heaven and trees on the Maryland Department of Agriculture's Prohibited Invasive Plant List. This bill, as amended, would allow counties and municipalities to: 1) ban the sale and planting of invasive plants; 2) ban people from allowing invasive plants to grow on their property; 3) establish a civil fine to enforce invasive tree ordinances; and 4) establish a bounty or native tree replacement program for invasive trees.

In 2024, the General Assembly enacted legislation establishing the official Prohibited Invasive Plant List. The listed trees are harmful to human health or Maryland's ecological landscape, environment, or economy. SB 266 builds on the General Assembly's previous work regarding invasive plants by providing local governments with the authority to enforce invasive tree regulations and removal.

Invasive trees can harm Maryland's ecosystem by crowding out native plants, reducing biodiversity and disrupting ecosystems. The tree of heaven illustrates the harm invasive trees can inflict on Maryland. This species spreads quickly and secretes toxic chemicals into the soil that kill surrounding vegetation. It also serves as the preferred habitat of the spotted lanternfly, another invasive species that harms Maryland's agricultural industry.

The General Assembly must act to allow local governments to ban invasive trees, protecting our state's ecosystems, agricultural industry, and economy.

For these reasons, I respectfully urge the Committee to issue a favorable report on SB 266.

With kindest regards,

A handwritten signature in cursive script that reads "Benjamin T. Brooks".

Benjamin Brooks

**SB0266-EEE\_MACo\_SUP.pdf**

Uploaded by: Dominic Butchko

Position: FAV



## **Senate Bill 266**

### *Local Government - Regulatory Powers - Regulation of Tree of Heaven*

MACo Position: **SUPPORT**

To: Education, Energy, and the Environment  
Committee

Date: February 10, 2026

From: Dominic J. Butchko

The Maryland Association of Counties (MACo) **SUPPORTS** SB 266. This bill would provide additional powers to local jurisdictions for the regulation and control of the invasive Tree of Heaven.

As the preferred host plant for the ubiquitous Spotted Lanternfly, the Tree of Heaven presents a resounding threat to the health of Maryland's ecosystem. The Spotted Lanternfly is a well-documented invasive species that is wreaking havoc on agriculture and costing hundreds of millions in ecological damage across the nation. While counties respect homeowners' right to transform the landscape of their property within certain limits, it is critical that nonnative plant species be controlled from causing severe unintended consequences.

SB 266, builds from a similar framework for invasive bamboo established by the General Assembly in 2023, reinforcing commonsense tools whereby counties can regulate and penalize property owners for the unwelcome spread of invasive species.

SB 266 gives counties a necessary tool to control the unwelcome spread of the Tree of Heaven and with it, the Spotted Lanternfly. As such, MACo urges the Committee to issue a **FAVORABLE** report on SB 266.

# **SB 266 Tree of Heaven testimony.pdf**

Uploaded by: Dorie Broadman

Position: FAV



Promoting native landscapes through education,  
advocacy and collaborative action.  
Contact:wildonesnationscapital@gmail.com

**Testimony: SB 266, Local Government - Regulatory Powers - Regulation of Tree of Heaven**  
**Committee: Energy, Education and Environment**  
**Hearing Date: February 10, 2026**  
**Position: FAVORABLE**

Chair, Brian Feldman; Vice Chair, Cheryl Kagan; and Honorable Members of the Committee:

Wild Ones Nation's Capital Region, a 250- member chapter of the national organization, "Wild Ones".<sup>1</sup> urges your support for this bill as there is a critical need to eliminate invasive plants, including Tree of Heaven (*Ailanthus altissima*)<sup>2</sup>. The situation is urgent because they are devastating our natural ecosystems. Invasives grow quickly, and smother, choke, poison, and outcompete native plants, which are the backbone of our local ecosystems. They also harbor invasive insects such as the spotted lantern fly (*Lycorma delicatula*)<sup>3</sup>

Adding Tree of Heaven to Bamboo for County action is a minimalist action. There are many other such plants that our Counties must be able to regulate. In the future, please consider expanding this list to include those on the prohibited invasive plants list published by the State Department of Agriculture<sup>4</sup> Consistency within the State would be beneficial.

Please approve this bill.

Sincerely,

Dorothy Broadman  
Director, Legislative Affairs

Pru Foster  
President

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<sup>1</sup> Wild Ones, a nationwide nonprofit organization with local chapters throughout the country,

<sup>2</sup><https://extension.umd.edu/resource/invasives-your-woodland-tree-heaven-ailanthus-updated-2025/>

<sup>3</sup> <https://mda.maryland.gov/plants-pests/Pages/spotted-lantern-fly.aspx>

<sup>4</sup> [https://mda.maryland.gov/plants-pests/Pages/maryland\\_invasive\\_plants\\_prevention\\_and\\_control.aspx](https://mda.maryland.gov/plants-pests/Pages/maryland_invasive_plants_prevention_and_control.aspx)

**SB266 MDA LOS.pdf**

Uploaded by: Harrison Palmer

Position: FAV



# Maryland Department of Agriculture

Office of the Secretary

Wes Moore, Governor

Aruna Miller, Lt. Governor

Kevin Atticks, Secretary

Steven A. Connelly, Deputy Secretary

Agriculture | Maryland's Leading  
Industry

The Wayne A. Cawley, Jr. Building

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## Maryland Department of Agriculture

### Legislative Comment

Date: February 10th, 2026

**BILL NUMBER:** SB 266  
**BILL TITLE:** Regulation of Tree of Heaven  
**MDA POSITION:** SUPPORT

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The Maryland Department of Agriculture (MDA) respectfully submits this letter in support of *Senate Bill 266 Local Government – Regulatory Powers – Regulation of Tree of Heaven*, enabling counties and municipalities to create bounty programs to manage the invasive Tree of Heaven.

The Tree of Heaven (*Ailanthus altissima*) is a deciduous invasive tree species native to China. It spreads rapidly and grows aggressively, often forming dense stands that crowd out native plant species. Tree of Heaven is Allelopathic, meaning that it produces chemicals that inhibit the growth of other plants, creating a monoculture. This tree is also the primary host for the spotted lanternfly, an invasive insect that depends on the Tree of Heaven to successfully reproduce. Removing this species would help restore native biodiversity and may assist in the spread of the spotted lanternfly.

Allowing counties the authority to regulate Tree of Heaven would be a positive step toward reducing the presence of this widespread invasive species in our environment. For these reasons, MDA strongly supports SB 266 and respectfully requests a favorable report. MDA appreciates the consideration of the above information in the Committee's deliberations.

If you have additional questions, please contact Harrison Palmer, MDA Chief of Staff at [Harrisonb.palmer@maryland.gov](mailto:Harrisonb.palmer@maryland.gov) or (410) 980-9887.

**SB0266\_DNR\_SUP\_EEE-2-10-26.pdf**

Uploaded by: Lydia McPherson

Position: FAV



Wes Moore, Governor  
Aruna Miller, Lt. Governor  
Josh Kurtz, Secretary  
David Goshorn, Deputy Secretary

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February 10, 2026

**BILL NUMBER: SENATE BILL 266 – FIRST READER**

**SHORT TITLE: LOCAL GOVERNMENT-REGULATORY POWERS-REGULATION OF TREE OF HEAVEN**

**DEPARTMENT’S POSITION: SUPPORT**

### **EXPLANATION OF DEPARTMENT’S POSITION**

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The Department supports SB 266 due to its potential to improve ecological protection of native species in areas experiencing high environmental stressors. Tree of Heaven (*Ailanthus altissima*) is an exceptionally aggressive invasive species that rapidly outcompetes native trees and understory plants that provide essential habitat and food resources for wildlife. Its exceptionally rapid growth rate and ability to produce viable seed within two to three years enables it to outcompete in urban forests and natural areas within a short timeframe.

By authorizing local governments to regulate and incentivize the removal of Tree of Heaven, the bill strengthens invasive species management at the community level, supporting forest resilience and long-term ecological health.

### **BACKGROUND INFORMATION**

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Tree of Heaven is widely recognized as a highly invasive deciduous tree species throughout North America, capable of forming dense stands that displace native vegetation while releasing soil chemicals that inhibit the growth of surrounding plants.

In addition to its direct ecological impacts, Tree of Heaven serves as the preferred host for the spotted lanternfly, another invasive species responsible for agricultural damage and increased stress on native plant communities statewide.

Urban forests and environmentally stressed areas are particularly vulnerable to infestation, where native species already face challenges related to soil compaction, heat, limited rooting space, and pollution. Without careful, thorough, proactive management, infestations can spread rapidly following the introduction of a single specimen.

Contact: Lydia McPherson, Director, Legislative and Constituent Services  
[lydia.mcpherson1@maryland.gov](mailto:lydia.mcpherson1@maryland.gov) ♦ 410-260-8113 (office) ♦ 443-875-7785 (cell)

## **BILL EXPLANATION**

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SB 266 amends the Local Government Article to authorize counties and municipalities to adopt ordinances regulating Tree of Heaven. The bill allows local governments to:

- Prohibit the sale and planting of Tree of Heaven;
- Require property owners to prevent Tree of Heaven from growing on their land;
- Enforce ordinances through mitigation requirements and civil fines; and
- Establish bounty programs to incentivize the removal of Tree of Heaven.

The legislation expands existing local authority that currently applies to invasive bamboo to include Tree of Heaven as a regulated invasive species.

This bill would provide local governments with tools to implement education, enforcement, and removal programs that can yield significant long-term ecological benefits and reduce the spread of *Ailanthus altissima* across Maryland's landscape.

**SB0266\_FAV\_City of Rockville\_Local Govt. - Regulat**

Uploaded by: Marissa Valeri

Position: FAV



**Testimony of the Mayor and Council of Rockville**  
**SB 266 – Local Government – Regulatory Powers – Regulation of Tree of**  
**Heaven**  
**SUPPORT**

Good afternoon, Chair Feldman and members of the Senate Education, Energy, and the Environment Committee. I am Rockville City Councilmember Marissa Valeri, and I thank you for this opportunity to share the City's comments on SB 266. We are thankful to Senator Brooks for sponsoring this important legislation.

The Rockville Mayor and Council unanimously support SB 266. This bill authorizes municipalities and counties to regulate Tree of Heaven, including prohibiting a person from selling, planting, and allowing it to grow on a person's property. The bill also provides authority to municipalities and counties to establish a bounty program to incentivize the removal of this invasive species. According to the University of Maryland Extension, by 2025, Tree of Heaven was found in all Maryland counties, except Somerset County. SB 266 is needed to combat the rapid spread of Tree of Heaven, which has caused significant damage throughout Maryland by invading forests, crowding out native plants, and damaging infrastructure.

We support the provisions of SB 266 for the following reasons:

- It provides local governments with additional tools to mitigate the prevalence of Tree of Heaven, an invasive species that threatens native plants and wildlife, reducing biodiversity.
- It aligns with Rockville's Climate Action goals to manage and reduce invasive species in parks, streams, and natural areas to protect biodiversity and improve ecosystem resilience, and promote native plantings to mitigate the spread of invasive species.
- Tree of Heaven is the primary host for the spotted lanternfly, an invasive insect that poses a major threat to the ecosystem and important regional agricultural economies.
- Allowing the regulation of Tree of Heaven supports biodiversity and climate resilience by promoting the use of native plants, which the Maryland Invasive Species Council deemed essential for climate resilience, stormwater management, and wildlife habitat.

SB 266 is an important step forward in invasive species management. Regulating Tree of Heaven is not only an environmental issue, but is also an economic, infrastructure, and public safety imperative. For these reasons, we urge the Committee to provide SB 266 with a favorable report. Thank you.

**SB 266 - CBF - FAV.pdf**

Uploaded by: Matt Stegman

Position: FAV



# CHESAPEAKE BAY FOUNDATION

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## Senate Bill 266

### Local Government – Regulatory Powers – Regulation of Tree of Heaven

**Date:** February 10, 2026

**To:** Education, Energy, and the Environment

**Position:** **Favorable**

**From:** Gussie Maguire,  
MD Staff Scientist

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The Chesapeake Bay Foundation (CBF) **SUPPORTS Senate Bill 266**, which allows counties and municipalities to regulate *Ailanthus altissima*, an invasive species commonly called tree of heaven, including prohibiting its sale, planting, or failure to remove.

Tree of heaven outcompetes native tree and plant species due to its fast growth and production of allelopathic chemicals that prevent other plants from taking root near it. It reproduces via seed and root suckers, thrives in disturbed areas, and is extremely difficult to remove once established. Its leaves and twigs emit an unpleasant odor akin to moldy peanut butter, its pollen can trigger allergies, and in some cases, contact with it can cause skin irritation<sup>1</sup>. Furthermore, it is the preferred host for invasive spotted lanternflies, which swarmed much of the state last summer.

CBF supports this bill and looks forward to counties and municipalities making full use of the powers it grants. **CBF urges the Committee's FAVORABLE report on SB 266.**

For more information, please contact Matt Stegman, Maryland Staff Attorney, at [mstegman@cbf.org](mailto:mstegman@cbf.org).

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<sup>1</sup> Penn State Extension: [Tree of heaven](#)

**SB0266 - Testimony-RArmendariz.pdf**

Uploaded by: Rebecca Armendariz

Position: FAV

## **Testimony on Senate Bill – Favorable**

### **SB0266 – Local Government - Regulatory Powers - Regulation of Tree of Heaven**

#### **Senate Education, Energy, and the Environment Committee**

**February 6, 2026**

Dear Honorable Chair Feldman and Members of the Committee:

I respectfully request a favorable report on SB0266, as the tree-of-heaven and the spotted lanternflies that eat its sap are detrimental to the health of our environment.

I first learned of the tree-of-heaven from a Christmas tree farmer in Bucks County, Pennsylvania, in 2020, and began to notice them in my neighborhood shortly thereafter. The lanternflies are a huge problem linked to proliferation of the tree of heaven. I personally engaged the Lake Roland Nature Council on poisoning the tree-of-heaven in the roads surrounding the park. Thankfully it appears no tree-of-heaven are located deep within the park. They are up and down I-83, Falls Road, and other major roadways near my home, and getting rid of them is a critical environmental measure.

Thank you for your consideration of SB0266 and for your continued commitment to preserving what we can of the environment in our state. I respectfully urge a favorable report.

Sincerely,

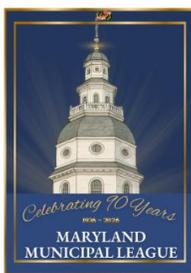


Rebecca Armendariz, MSW, LCSW-C  
MD-11A

# **SB266-MML-Testimony.pdf**

Uploaded by: Tyler Brice

Position: FAV



## TESTIMONY

**COMMITTEE:** House Environment and Transportation

**DATE:** February 10, 2026

**POSITION:** Favorable

**BILL:** SB 266

The Maryland Municipal League (MML) supports Senate Bill 266. SB266 is an important piece of legislation that authorizes local governing bodies to regulate the invasive Tree of Heaven (*Ailanthus altissima*) and establish optional bounty programs for its removal. The Tree of Heaven is widely recognized as an aggressive and fast-spreading invasive species that poses significant threats to Maryland's natural landscapes, agricultural interests, and local infrastructure. Its presence also encourages the proliferation of the spotted lanternfly, a destructive pest that further endangers vegetation and crops throughout the state.

By empowering local governments with clear authority under SB266, the General Assembly acknowledges the essential role played by municipalities in protecting environmental health and ensuring the sustainability of their communities. Local leaders are acutely aware of the unique environmental challenges facing their jurisdictions, and they are best positioned to respond quickly and effectively. SB266 honors the principle of local self-determination, recognizing that communities across Maryland may experience invasive species problems differently and may require tailored strategies to address them. Enabling local governments to create bounty programs or enforce targeted regulations allows for flexible, locally driven solutions to the invasive Tree of Heaven problem, resulting in more effective management efforts statewide.

Environmental stewardship and the health of community landscapes are top priorities for MML and our member municipalities. SB266 provides the necessary framework for local action, reaffirms the value of local expertise, and enhances our collective ability to combat invasive species. By passing SB266, the Maryland General Assembly strengthens the partnership between the state and its municipalities and sends a clear message about the importance of local leadership in addressing complex environmental threats.

For these reasons, the Maryland Municipal League respectfully urges the committee to issue a favorable report on Senate Bill 266. We thank you for your attention to this critical matter and for your continued support of Maryland's cities and towns.

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For more information relating to this piece of testimony, please contact:

Tyler Brice: Manager, Advocacy and Public Policy, [tylerb@mdmunicipal.org](mailto:tylerb@mdmunicipal.org)

*MML represents 161 local governments and about 2 million Maryland residents.*

**SB0266\_Green Towson Alliance\_Hubbard\_FWA.docx.pdf**

Uploaded by: Adreon Hubbard

Position: FWA



**Testimony: SB0266, Local Government-Regulatory Powers-Regulation of Tree of Heaven  
Committee: Education, Energy, and the Environment**

**Hearing Date: February 10, 2026**

**Position: FAVORABLE WITH AMENDMENTS**

Chair Feldman, Vice Chair Kagan, and honorable members of the Committee:

The Green Towson Alliance supports SB0266, which enables counties and municipalities to manage the spread of Tree of Heaven (*Ailanthus altissima*) and other non-native invasive trees regulated by the Maryland Department of Agriculture.

Maryland law defines an invasive plant as a species that did not evolve in our state and that causes harm to human health, environmental harm, or economic harm. As a certified Weed Warrior in Baltimore City and Baltimore County, I have seen first-hand how aggressively Tree of Heaven takes over disturbed sites, crowding out native plants that support pollinators and healthy ecosystems. It reproduces from seed as well as vegetatively from fast-growing sprouts. Hundreds of its seedlings can quickly shoot up and overtake a newly cultivated agricultural field, impacting crop yield. Other negative characteristics of Tree of Heaven include that it secretes the toxic chemical ailanthone, suppressing the growth of other plants, is a magnet for the invasive Spotted Lantern Fly, and has weak wood prone to breakage.

Clearly, Tree of Heaven needs to be controlled. As part of this bill, the University of Maryland Extension is providing important updated online information on correctly identifying and managing them. Tree of Heaven requires diligence: incorrect removal methods can result in increased sprouting and spread. Continued education about Tree of Heaven and establishing a bounty program will incentivize the reduction of this invasive species in our state.

**The Green Towson Alliance urges a favorable with amendments report on SB0266.**

Adreon Hubbard

Green Towson Alliance Member, Certified Weed Warrior, MD Master Naturalist

hubbardesol@gmail.com

**References:**

J. Swearingen, J.M. and J.P. Fulton. 2022. Plant Invaders of Mid-Atlantic Natural Areas, Field Guide, <https://dnr.maryland.gov/wildlife/Documents/midatlantic.pdf>

Plant Conservation Alliance's Alien Plant Working Group. Fact Sheet: Tree of Heaven <https://www.invasive.org/weedcd/pdfs/wgw/treeofheaven.pdf>

Davis, R. Alliance for the Chesapeake Bay Blog. Tree of Heaven: A Devilish Invader [https://www.allianceforthebay.org/2018/08/tree-of-heaven-a-devilish-invader/?gad\\_source=1&gad\\_campaignid=22134041923&gbraid=0AAAAADtrY9-qdiwZvPZ0uuw6CrFlonZnL&gclid=Cj0KQCQIAkPzLBhD4ARIsAGfah8hworKeqWL0LpPa0wLZPj7d9LK\\_edYpRqIDW0n-vMjFjYOXsqbqjj0aAiZAEALw\\_wcB](https://www.allianceforthebay.org/2018/08/tree-of-heaven-a-devilish-invader/?gad_source=1&gad_campaignid=22134041923&gbraid=0AAAAADtrY9-qdiwZvPZ0uuw6CrFlonZnL&gclid=Cj0KQCQIAkPzLBhD4ARIsAGfah8hworKeqWL0LpPa0wLZPj7d9LK_edYpRqIDW0n-vMjFjYOXsqbqjj0aAiZAEALw_wcB)

**SB266\_Jill Fonda Allen\_FWA\_2.10.26.pdf**

Uploaded by: Jill Fonda Allen

Position: FWA

**Testimony: SB266, Local Government - Regulatory Powers - Regulation of Tree of Heaven**

**Submitted by: Jill Fonda Allen, CGC, Brookeville, Maryland**

**Committee: Education, Energy and the Environment**

**Hearing Date: February 10, 2026**

**Position: FAVORABLE WITH AMENDMENTS**

Chair Feldman, Vice Chair Kagan, and honorable members of the Committee:

As a retired certified genetic counselor, Montgomery Parks Weed Warrior, and Wild Ones member, I support SB 266 with the sponsor amendments, which enables Maryland counties and municipalities to manage and control tree of heaven and any invasive trees regulated by the Maryland Department of Agriculture.

As a biologist who studied genetics, I can clearly recognize the destructive impact non-native invasive trees and other plants can have on our environment. Our native trees, birds and insects co-evolved, forming a complex web of relationships. When we plant a tree of heaven or other invasive plant, this system of relationships is disrupted. Native plants are threatened. Our native birds and insects are deprived of the food, shelter, and nesting sites that they require to thrive. Further, by definition, invasive trees “invade” the system, and so out-compete and eventually replace native trees. Given enough non-native invasive trees and time, our ecosystems will struggle and perhaps fail.

As a Weed Warrior, I see this invasion first hand. Before my Weed Warrior training, I was not able to identify individual invasive trees and other plants in the parks, and to me the forest was simply green. This is often called plant blindness. Since my training, I see the pervasive presence of invasive trees and other plants introduced from gardens and landscapes. It’s frustrating to work so hard as a volunteer and continue to see invasive plants being added to the gardens and landscaping next to the parks. I feel overwhelmed at the enormity of the problem and don’t want to leave this behind for the next generation.

As a citizen, I can imagine the high cost of trying to control invasive trees. In 2024, the Montgomery County Council recognized Montgomery Parks’ Weed Warrior volunteers for environmental stewardship. The Council reported that in 2024 Weed Warriors volunteered over 13,700 hours and saved almost 20,000 native trees and shrubs from invasive vines. The value of this volunteer time in dollars equates to nearly \$500,000.

I visited Virginia’s Sky Line Drive in 1985, forty years ago, and went to one of their beautiful nature centers. An educational poster on display predicted that invasive species were possibly the number one threat to our environment. At the time, I didn’t understand how invasive species could overwhelm our forests and natural areas. However, as more data has been collected, I now see how true the prediction was. A June 2023 Washington Post article reported that Shenandoah National Park estimated they would need \$27 million to address invasive plants in the park, an impossible task with an annual budget of only \$20 million, especially because 80% of the budget is needed to cover fixed costs.

Testimony: SB 266, Local Government - Regulatory Powers - Regulation of Tree of Heaven  
Submitted by: Jill Fonda Allen, CGC, Brookeville, Maryland  
Page 2

I am so proud of our state for updating our invasive plant law in 2024, which will greatly help in decreasing the number of invasive plants coming into our gardens and parks. SB 266 will enable our state's counties and municipalities to take the next steps in reducing the harm from this invasion as well as replace invasives with natives to mitigate this threat to our environment.

Thank you Senator Brooks for introducing this bill. I wholeheartedly support its passage and therefore request a favorable vote with sponsor amendments on SB 266.

Respectfully submitted,

Jill Fonda Allen, MS, CGC

#### REFERENCES:

The Maryland-National Capital Parks and Planning Commission. Accessed 2/1/26. VSO-Weed Warrior. [VSO - Weed Warriors - Montgomery Parks](#)  
Dana Milbank. June 30, 2023. "Opinion: How I learned to love toxic chemicals".  
(<https://www.washingtonpost.com/opinions/2023/06/30/herbicide-invasive-plants-national-parks-shenandoah>)

**SB0266\_MDSierraClub\_Testimony\_FWA\_10Feb2026.pdf**

Uploaded by: Judith Fulton

Position: FWA



# SIERRA CLUB

## MARYLAND CHAPTER

P.O. Box 278  
Riverdale, MD 20738

**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**.<sup>1</sup> 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**.<sup>2</sup> 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.<sup>3</sup> **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.<sup>4</sup> 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.<sup>5</sup>

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<sup>1</sup> 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](https://mda.maryland.gov/plants-pests/pages/maryland_invasive_plants_prevention_and_control.aspx).

<sup>2</sup> 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](http://www.federalregister.gov/documents/2016/12/08/2016-29519/safeguarding-the-nation-from-the-impacts-of-invasive-species)

<sup>3</sup> 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>

<sup>4</sup> 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.>

<sup>5</sup> 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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# **SB266\_Maryland Native Plant Society\_Hoffman\_EEE\_FW**

Uploaded by: Kirsten Hoffman

Position: FWA



# Maryland Native Plant Society

APPRECIATION CONSERVATION EDUCATION

**Testimony:** SB266, Local Government - Regulatory Powers - Regulation of Tree of Heaven  
**Committee:** Education, Energy, and the Environment  
**Hearing Date:** February 10, 2026  
**Position:** FAVORABLE WITH AMENDMENTS

Chair Feldman, Vice Chair Kagan, and honorable members of the Committee:

The Maryland Native Plant Society supports SB266 with the sponsor's amendments, which enables counties and municipalities to manage the spread and damaging impacts of invasive trees, including tree of heaven and any invasive tree regulated by the Maryland Department of Agriculture.

Maryland law defines an invasive plant as a species that did not evolve in our state and causes economic harm, ecological harm, environmental harm, or harm to human health. A nationwide study estimated that in 2000, the harm from invasive plants due to losses of ecosystem services and agricultural productivity cost Americans \$34 billion annually (approximately \$64 billion in 2026 dollars.)<sup>1</sup> By 2023, invasive plant costs globally had grown into the hundreds of billions of dollars each year.<sup>2</sup>

Our state is making good progress in addressing the harms caused by invasive plants by adding thirteen invasive species to the Maryland Prohibited Invasive Plant List in early 2026, including three invasive trees. While current state law prohibits the sale of any invasive plant on the Prohibited List (after a phase-out period), there is no law that addresses the management and control of these same invasives, which are currently in our environment. That is what this law enables counties and municipalities to do.

The Callery pear tree (including cultivar 'Bradford' pear), added to the Maryland Prohibited Invasive Plant List this January, was widely planted in residential neighborhoods and has now spread extensively to natural areas. Its early white spring blooms can be seen up and down Maryland's roads and highways. The tree spreads rapidly and aggressively, forming dense thickets, and its quick growth often leads to catastrophic breakage due to a weak branching structure.<sup>3</sup> Not infrequently, the branches fall on houses and cars, or even people.

Though these trees will be phased out of the nursery trade over the next two years, how do we deal with the trees in the landscape that will continue to multiply? One idea that has been successfully used in states across the country and is part of this bill is a bounty or native tree replacement program. States including Virginia, South Carolina, North Carolina, Kentucky, Indiana, Illinois, Ohio and Missouri have used bounty programs to encourage property owners to remove this harmful and potentially dangerous tree from their landscapes. Most of the programs offer a native replacement tree in exchange for the invasive tree to provide many benefits for generations to come.

Tree of Heaven, found in all but one Maryland county, is a tough hardy tree that grows almost anywhere and tolerates a wide range of soils, light conditions and moisture, seemingly a perfect urban tree. This tree, however, is an exceedingly aggressive grower and can damage pavement, residential foundations and underground utilities. The wood has little value, and the trees have a high fall rate, making them unsafe in developed landscapes. Tree of heaven forms dense thickets that provide minimal habitat for

*The Maryland Native Plant Society promotes awareness, appreciation, and conservation of Maryland's native plants and their habitats. Our engaged, active members represent all 24 state jurisdictions, from the coastal plain beaches to the western mountains. We reach 20,000 followers on social media. MNPS is a 501(c)(3) charitable organization incorporated in Maryland.*

Testimony: HB035

Position: FAVORABLE WITH AMENDMENTS

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native wildlife, and it leaches chemicals into the soil that are toxic to neighboring plants. A single tree can produce over 300,000 seeds annually, which are dispersed by wind and water, and trees can send out underground stems up to 50 feet.<sup>4</sup> Finally, this tree is the preferred host of the spotted lantern fly, which causes damage and losses to agricultural crops like grapes, apples, peaches, and hops, as well as damage to native trees like red maples and black walnuts. Removing this tree from the landscape is a challenge and the public needs the best possible information on how to control this species.

As part of the sponsor amendments to this bill, the University of Maryland Extension is updating its online information for these invasive species to help the public accurately identify the species and learn about the best management methods. The proper identification and removal of tree of heaven, Callery pear, and other invasive trees, as well as replacement with native trees, will provide our ecosystems the help so desperately needed to survive and thrive in a changing climate.

### **The Maryland Native Plant Society requests a favorable with amendments report on SB266.**

Kirsten Hoffman

Treasurer, Maryland Native Plant Society

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#### Citations

<sup>1</sup> Pimentel, D., L. Lach, R. Zuniga, D. Morrison. Environmental and Economic Costs of Nonindigenous Species in the United States, BioScience, Volume 50, Issue 1, January 2000, 53– 65.

[https://entnemdept.ufl.edu/Hodges/als4161/Secure/PDF%20Files/Articles/Environmental\\_and\\_Economic.pdf](https://entnemdept.ufl.edu/Hodges/als4161/Secure/PDF%20Files/Articles/Environmental_and_Economic.pdf)

<sup>2</sup> Roy, H., A. Pauchard, P. Stoett, T. Renard Truong, S. Backer, et.al. 2023. IPBES Invasive Alien Species Assessment: Summary for Policymakers. Zenodo.

<sup>3</sup> University of Maryland Extension. Accessed 2/1/26. Callery (Bradford) Pear.

<https://extension.umd.edu/resource/callery-bradford-pear/>

<sup>4</sup> University of Maryland Extension. Accessed 2/1/26. Invasives in Your Woodland: Tree-of-Heaven (Ailanthus) (Updated 2025).

<https://extension.umd.edu/resource/invasives-your-woodland-tree-heaven-ailanthus-updated-2025/>

#### Bounty and Native Tree Replacement Programs Programs

Virginia:

<https://dof.virginia.gov/forest-management-health/forest-health/financial-assistance-program/callery-pear-exchange-program/>

South Carolina: <https://www.clemson.edu/extension/bradford-pear/>

North Carolina: <https://www.treebountync.com/>

Indiana: <https://www.in.gov/nirpc/environment/communitree/invasive-species-replacement-program/>

Illinois: [https://www.illinoisplants.org/callery-pear/?doing\\_wp\\_cron=1769103306.3896489143371582031250](https://www.illinoisplants.org/callery-pear/?doing_wp_cron=1769103306.3896489143371582031250)

Kentucky: <https://news.mgcafe.uky.edu/article/bradford-pear-bounty-program-combats-invasive-kentucky-trees>

Ohio: <https://www.lickingpollinatorpathway.org/bounty>

Missouri: <https://moinvasives.org/2025/01/31/2025-callery-pear-buyback/>