MARYLAND
Chamber of Commerce

House Bill 1022

Date: March 10, 2026
Committee: Health
Position: Unfavorable

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, and we work to develop and promote strong public policy that ensures sustained economic growth for Maryland businesses, employees, and families.

House Bill 1022 (HB 1022) bans the sale of many everyday products that contain intentionally added per- and polyfluoroalkyl substances (PFAS) chemicals in Maryland. It also requires manufacturers to register any products with the state that contain PFAS. Manufacturers would have to pay fees and potentially submit testing data in order to keep selling them in Maryland.

While the Chamber supports responsible, science-based policies that protect public health and the environment, HB 1022 takes an overly broad and inflexible approach that would have sweeping and unintended consequences for Maryland businesses, consumers, and the state's economic competitiveness.

Overly Broad, Non-Risk-Based Ban

HB 1022 is one of the broadest, if not the broadest, PFAS product ban in the country. HB 1022 would phase out the sale and distribution of a wide range of consumer and commercial products containing intentionally added per- and polyfluoroalkyl substances PFAS, using an expansive definition that captures thousands of distinct chemistries. The bill treats all PFAS as a single substance, despite well-established differences in toxicity, environmental persistence, and exposure pathways across this diverse family of compounds.

Notably, the bill's definition of "intentionally added PFAS" lacks any exposure-based standard or trace threshold and does not distinguish between deliberate functional use and the incidental presence of PFAS as impurities or byproducts. As drafted, HB 1022 could capture products containing de minimis or unavoidable trace amounts of PFAS, even where there is no meaningful exposure risk to consumers.

This approach fails to distinguish between PFAS that have been shown to pose higher risks and those—such as certain fluoropolymers—that are high molecular weight, not bioavailable, and widely recognized as polymers of low concern for human health and the environment. By

ignoring these distinctions, HB 1022 would ban products and technologies that are essential to critical sectors, including healthcare, life sciences, information technology, aerospace and defense, energy, and advanced manufacturing.

Unrealistic and Rigid Implementation Timeline

HB 1022 establishes compliance deadlines beginning in 2028—several years earlier than timelines adopted or contemplated in other states with similar PFAS-in-products laws. This accelerated schedule does not account for the complexity of global supply chains, the availability of viable alternatives, or the time needed for regulatory agencies to finalize key implementation rules.

Importantly, the bill does not tie compliance obligations to the completion of final regulations or exemptions, such as determinations related to current unavoidable uses. As a result, businesses could be deemed out of compliance through no fault of their own if regulatory delays occur.

Additionally, the bill is triggered by the "sale" of covered products rather than the date of manufacture, creating further compliance challenges for retailers and distributors managing existing inventory that was lawfully produced before the effective dates.

Significant Compliance and Implementation Challenges

Experience in other states demonstrates that broad PFAS-in-products laws are extraordinarily difficult to implement in practice. Complex global supply chains, limited testing capacity, and gaps in supplier-level information make compliance challenging even for manufacturers acting in good faith.

States that have adopted similar policies, such as Maine and Minnesota, have been forced to delay implementation, issue thousands of compliance extensions, and revisit their laws due to regulatory uncertainty and unintended economic disruption. HB 1022 risks repeating these same mistakes, without clear evidence that Maryland's regulatory agencies have the resources or infrastructure necessary to administer the bill's expansive reporting, registration, and enforcement requirements.

Onerous Reporting Requirements and Disproportionate Penalties

In addition to product bans, HB 1022 would require registration and payment of fees for **all** products containing intentionally added PFAS sold or distributed in the state. These provisions impose significant new administrative burdens on businesses, many of which do not receive this level of chemical detail from their suppliers, while exposing them to civil penalties of up to **$25,000 per day per violation**. The fines are disproportionately high compared to similar PFAS laws in other states and could accumulate rapidly—even for paperwork or reporting deficiencies.

The legislation also provides no explicit good-faith compliance defense and applies penalties even where manufacturers or private-label sellers reasonably relied on supplier-provided information. This is particularly problematic for complex products, medical devices, and private brands where companies may not have direct control over or visibility into all upstream chemical inputs.

These penalties are disproportionate, exceed what is typical for many environmental reporting programs, and create substantial legal and financial risk for companies operating in national and global markets.

Redundant with Existing Maryland Law

Maryland has already taken aggressive and targeted action to address PFAS through legislation regulating firefighting foam, industrial discharges into state waters, playground materials, and specific consumer product categories. HB 1022 goes well beyond these targeted approaches and would contribute to an unworkable patchwork of state-specific bans, increasing costs for businesses and consumers without clear additional public health benefits.

A More Balanced Path Forward

Rather than an indiscriminate ban, the Chamber urges the General Assembly to work with impacted stakeholders to explore a science-based, risk-informed framework that prioritizes PFAS chemistries of greatest concern, recognizes exemptions for essential and critical uses, aligns with federal regulatory efforts, and provides realistic compliance timelines and regulatory clarity.

For these reasons, the Chamber respectfully requests an **unfavorable report** on **HB 1022**.