

MARYLAND RETAILERS ALLIANCE

The Voice of Retailing in Maryland



SB 290 Baltimore City- Ordinance Enforcement- Amount of Fines and Penalties

February 5th, 2026

Position: Unfavorable

Written Testimony: While the intent of SB 290 may be to encourage compliance, this proposal would have serious unintended consequences and is unlikely to improve outcomes for residents or businesses.

Baltimore City is distinct from many other jurisdictions because it already permits criminal charges to be filed for conduct that is also subject to civil enforcement. As a result, individuals and businesses may face both civil penalties and criminal prosecution for the same underlying violation. In this context, increasing civil fines fivefold does not simply enhance enforcement — it significantly compounds punitive exposure.

This layered enforcement structure warrants caution, not escalation. A \$5,000 civil fine, combined with the possibility of criminal charges, court involvement, and long-term collateral consequences, creates penalties that are disproportionate to the nature of many violations, which are often administrative, technical, or non-violent.

Higher fines also do not reliably improve compliance. Experience and research show that excessive penalties frequently lead to increased litigation, delayed remediation, and the accumulation of legal debt rather than faster correction. For small businesses, nonprofits, and residents operating on thin margins, even a \$1,000 fine can be destabilizing; a \$5,000 fine can be catastrophic, forcing closures or abandonment rather than compliance.

Escalating fines also risks shifting enforcement from a compliance-focused approach to one perceived as revenue-driven, which undermines public trust and disproportionately impacts vulnerable communities.

If the goal is improved compliance and safer conditions, there are more effective and equitable alternatives, including graduated enforcement, warnings, technical assistance, and reasonable payment options that prioritize correction over punishment.

For these reasons — particularly given Baltimore City’s existing authority to pursue criminal enforcement — increasing the maximum civil fine from \$1,000 to \$5,000 is excessive and counterproductive. We respectfully urge the committee to oppose this bill.

Thank you for your consideration and we urge an unfavorable report on SB290