



Senator Will Smith, Chair  
Judicial Proceedings Committee  
2 East Miller Senate Office Building  
Annapolis, MD 21401

Senator Brian Feldman, Chair  
Education, Energy, and the Environment Committee  
2 West Miller Senate Office Building  
Annapolis, MD 21401

February 10, 2026

**RE: SB 432 – UNFAVORABLE – Attorney General Actions and Climate Crimes Accountability Fund (Climate Crimes Accountability Act)**

Dear Chair Smith, Chair Feldman, and Members of the Committees:

The Maryland Asphalt Association (MAA) represents approximately 110+ members, including 20 material producers, contractors, engineering firms, and associate members, supporting a 7,000-person workforce. MAA actively collaborates with regulatory agencies to advocate for the asphalt industry, ensuring fair regulations at both the state and federal levels. Additionally, we support adequate funding for Maryland's multimodal transportation system.

MAA strongly supports environmental safeguards and the responsible stewardship of Maryland's natural resources. Our members are committed to reducing emissions, improving efficiency, and incorporating innovative practices that lower the environmental footprint of roadway construction and maintenance. However, Senate Bill 432, would profoundly and adversely affect our industry, not only through new liabilities but also by undermining the stable economic foundation required to maintain and improve Maryland's transportation infrastructure.

SB 432 grants broad authority to the Attorney General to investigate, prosecute, or defend actions against entities for conduct that "has contributed to climate change," and establishes a special Climate Crimes Accountability Fund to support such activities.

While the goal of reducing climate impacts is laudable, the bill's design is overly expansive and creates untenable legal and financial risk for the construction materials sector, including asphalt producers and contractors. Without clear, objective standards defining what constitutes "climate-related unlawful conduct," this bill could expose everyday business activities, including lawful, regulated roadway construction and maintenance, to liability under novel tort claims. The risk of litigation under vague criteria could chill normal industry operations, discourage investment, and shift resources from core functions such as safety, quality, and environmental compliance toward legal defense and insurance costs.

The asphalt industry acknowledges the need to be part of a comprehensive strategy to address climate change, including supporting alternative fuels, cleaner equipment, and materials innovations. However, SB 432 does not present a targeted or balanced mechanism to advance those objectives. Instead, it creates a broad litigation framework that could threaten the viability of businesses essential to Maryland's transportation infrastructure. For these reasons, the Maryland Asphalt Association respectfully requests an **unfavorable report on Senate Bill 432**.

Sincerely,

Tim E. Smith, P.E.  
President  
Maryland Asphalt Association