



## **CLIMATE COALITION**

### **Montgomery County, MD**

**Bill SB432 – Attorney General Actions and Climate Crimes Accountability Fund  
(Climate Crimes Accountability Act)**

**Committee: Judicial Proceedings**

**Organization: Climate Coalition, Montgomery County**

**Submitting: Karl Held**

**Position: Favorable**

**Hearing Date: February 10, 2026**

Dear Chair Smith, Vice Chair Waldstreicher and Committee Members:

I have lived in Potomac for over 30 years. I am concerned about the impacts of climate change on the lives of my children and grandchildren and about the costs they will have to shoulder as a result of actions by certain large fossil fuel companies. SB432 creates the possibility that to the extent these companies have contributed to climate change in a manner that violates Maryland tort law, Maryland can hold them financially liable for the damages they have caused Maryland residents, businesses and government entities in the state. The Climate Crimes Accountability Act addresses this concern. Accordingly, I urge you to vote **favorably** on SB432.

Now that the RENEW Act study is going forward to quantify the costs to Maryland resulting from climate change, Maryland will be prepared to consider holding fossil fuel companies responsible for any violations of Maryland tort law. The Attorney General also has the advantage of learning from similar lawsuits brought in other states and local jurisdictions. In that vein, this Committee may want to consider defenses alleged by major fossil fuel companies in those other cases, including the litigation brought by the City of Annapolis, and consult with the Attorney General about whether to expand the parties that could be sued to include industry trade or research associations.

The Climate Crimes Accountability Act authorizes the Attorney General to investigate, commence, prosecute or defend any action by large fossil fuel companies (market capitalization above \$1 billion) for any unlawful conduct by them that has contributed to climate change. Importantly, SB432 waives Maryland's Uniform Contribution Among Joint Tortfeasors Act (UCATA) for actions brought under this bill.<sup>1</sup> Waiving UCATA, which is a minority approach among the states, facilitates settlements with one or more of the parties held responsible for climate damages since the waiver allows for allocation of the recovery among the liable defendants based on each particular defendant's judicially determined share of responsibility. Absent the waiver, [a settlement with one party could limit the amount Maryland could recover from the more culpable](#)

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<sup>1</sup> See proposed Section 1-307(e) in the bill.

[parties](#), leaving money on the table. Importantly, SB432 also allows the Attorney General to hire outside counsel, which creates the flexibility of using contingency or hourly fees or a different fee structure. With these provisions, SB432 now has the Attorney General's wholehearted support and is one of his high priorities.

SB432 also creates a separate Climate Crimes Accountability Fund to ensure that any recovery is used only to supplement state programs that prevent, mitigate or repair harms caused by climate change. Creating a separate fund mitigates against the temptation by the state to use the recovery funds for unrelated state budget needs. SB432 includes a broad list of adverse climate change effects that the fund could address through different programs. Importantly, these are separate applications of funds than those that might be obtained under the RENEW Act should that act be introduced and enacted in a subsequent session.

To enable Maryland businesses, residents and governmental bodies at all levels to potentially undertake what will likely be extremely expensive actions to prevent, mitigate or repair the harms caused by climate change, I urge a favorable report on SB432, the Climate Crimes Accountability Act.