

HOUSE BILL 35

L6, M4

(PRE-FILED)

6lr0693
CF SB 266

By: ~~Delegate Foley~~ Delegates Foley, Allen, Behler, Boyce, Guyton, Healey, J. Long,
Lewis, Odom, Stein, and Ziegler

Requested: August 14, 2025

Introduced and read first time: January 14, 2026

Assigned to: Environment and Transportation

Committee Report: Favorable with amendments

House action: Adopted

Read second time: February 18, 2026

CHAPTER _____

1 AN ACT concerning

2 **Local Government – Regulatory Powers – Regulation of ~~Tree of Heaven~~ Invasive**
3 **Trees**

4 FOR the purpose of authorizing the governing body of a county or municipality to adopt
5 certain ordinances to regulate ~~trees~~ tree of heaven and certain invasive trees;
6 authorizing the governing body of a county or municipality to establish ~~a bounty~~
7 ~~program~~ certain programs to incentivize the removal of ~~trees~~ tree of heaven and
8 certain invasive trees; and generally relating to local management of ~~trees~~ tree of
9 heaven and certain invasive trees.

10 BY repealing and reenacting, with amendments,
11 Article – Local Government
12 Section 1–1318
13 Annotated Code of Maryland
14 (2013 Volume and 2025 Supplement)

15 Preamble

16 WHEREAS, Invasive species are nonnative plants, pathogens, and animals whose
17 introduction causes harm to human health, environmental harm, or economic harm –
18 typically through unchecked ~~growth~~ spread; and

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



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

5 WHEREAS, The tree of heaven is the preferred habitat for the spotted lanternfly,
 6 another invasive species that is causing economic damage to the agricultural community,
 7 stressing native plant populations, and generally acting as a nuisance statewide; and

8 WHEREAS, The trees on the Department of Agriculture's Maryland Prohibited
 9 Invasive Plant List have been determined to be invasive, nonnative trees that cause harm
 10 to human health, environmental harm, or economic harm; now, therefore,

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

13 Article – Local Government

14 1–1318.

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

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

19 (3) “**LISTED INVASIVE TREE**” MEANS ANY TREE ON THE “**MARYLAND**
 20 **PROHIBITED INVASIVE PLANT LIST**” POSTED BY THE DEPARTMENT OF
 21 **AGRICULTURE.**

22 (4) “**NATIVE TREE REPLACEMENT PROGRAM**” MEANS A PROGRAM
 23 **WHEREBY A PERSON RECEIVES A NATIVE TREE IN EXCHANGE FOR REMOVING AND**
 24 **ERADICATING AN INVASIVE TREE.**

25 ~~(3)~~ (5) “**TREE OF HEAVEN**” MEANS THE AILANTHUS ALTISSIMA
 26 **TREE SPECIES.**

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

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

31 (1) selling invasive bamboo, LISTED INVASIVE TREES, OR **TREES OF**
 32 **HEAVEN;**

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

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

5 (4) ALLOWING TREES OF HEAVEN OR OTHER LISTED INVASIVE TREES
6 TO GROW ON THE PERSON'S PROPERTY.

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

9 (1) requiring any damages caused by invasive bamboo, LISTED INVASIVE
10 TREES, OR TREES OF HEAVEN to be mitigated; and

11 (2) establishing a civil fine.

12 (E) THE GOVERNING BODY OF A COUNTY OR MUNICIPALITY MAY ESTABLISH
13 A BOUNTY OR NATIVE TREE REPLACEMENT PROGRAM TO INCENTIVIZE THE
14 REMOVAL AND ERADICATION OF TREES OF HEAVEN AND OTHER LISTED INVASIVE
15 TREES.

16 (F) A BOUNTY OR NATIVE TREE REPLACEMENT PROGRAM ESTABLISHED BY
17 A COUNTY OR MUNICIPALITY SHALL REQUIRE:

18 (1) AN INVASIVE TREE TO BE PROPERLY IDENTIFIED CONSISTENT
19 WITH THE SPECIES PAGE PUBLISHED BY THE UNIVERSITY OF MARYLAND
20 AGRICULTURE EXTENSION; AND

21 (2) THE INVASIVE SPECIES, AFTER BEING PROPERLY IDENTIFIED, TO
22 BE REMOVED OR ERADICATED ACCORDING TO PROFESSIONALLY ACCEPTED
23 METHODS OR CONSISTENT WITH METHODOLOGY ON THE SPECIES PAGE PUBLISHED
24 BY THE UNIVERSITY OF MARYLAND AGRICULTURE EXTENSION.

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