

Department of Legislative Services  
Maryland General Assembly  
2026 Session

FISCAL AND POLICY NOTE  
First Reader

House Bill 72 (Delegate Charkoudian)  
Environment and Transportation

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Natural Resources - Edible Forests and Foraging Program - Establishment

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This bill establishes an Edible Forests and Foraging Program in the Department of Natural Resources (DNR) to (1) designate foraging areas; (2) authorize and regulate foraging within designated foraging areas; and (3) facilitate the establishment and maintenance of edible forests. The bill requires individuals to obtain a foraging permit in order to forage within a designated foraging area (no permit is required to forage in an edible forest). The bill also establishes an Edible Forests and Foraging Fund, administered by DNR, to support the program.

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Fiscal Summary

**State Effect:** General and/or special fund expenditures increase, beginning in FY 2027, as discussed below. DNR estimates that initial costs to establish an edible forest are approximately \$10,000 per acre. Special fund revenues increase, beginning in FY 2027, by an indeterminate amount due to collection of fee revenues. General fund revenues increase minimally from interest earnings of the new special fund through FY 2028.

**Local Effect:** None.

**Small Business Effect:** Minimal.

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Analysis

**Bill Summary:** The purpose of the Edible Forests and Foraging Program is to (1) designate foraging areas; (2) authorize and regulate foraging within designated foraging areas; and (3) facilitate the establishment and maintenance of edible forests.

## *Definitions*

“Designated foraging area” means department-owned land designated by DNR for foraging.

“Edible forest” means State-owned land that is cultivated for harvesting noninvasive plants for noncommercial personal consumption.

“Foraging” means harvesting mushrooms or plant materials such as seeds, nuts, roots, tubers, and berries, for noncommercial personal consumption. Foraging does not include harvesting threatened or endangered plant species.

## *Foraging Permit for Designated Foraging Areas*

The bill requires individuals to obtain a foraging permit to forage within a designated foraging area. An individual must submit an application to DNR and pay an application fee, set by DNR, in order to obtain a foraging permit. The permit is valid for one year after the issuance date. The bill authorizes DNR to require individuals to successfully complete an orientation or a foraging course before receiving a permit. The bill also requires the department to waive the permit application fee for individuals who demonstrate financial need. DNR must adopt implementing regulations, including regulations (1) designating foraging areas on department-owned land; (2) establishing a foraging permit application fee; and (3) establishing a fee waiver process for individuals who demonstrate financial need.

## *Edible Forests*

Subject to available funding, DNR must establish and maintain edible forests on State-owned land. The department is prohibited from requiring individuals to obtain foraging permits to forage in an edible forest.

## *Edible Forests and Foraging Fund*

The bill requires DNR to administer an Edible Forests and Foraging Fund, which consists of foraging permit application fees, money appropriated in the State budget to the fund, interest earnings, and any other money from any other source accepted for the benefit of the fund. The purpose of the fund is to support (1) the designation of foraging areas and (2) the cultivation of noninvasive plants on State-owned land to be used as edible forests. The fund may only be used for (1) designating, planting, and maintaining designated foraging areas and edible forests and (2) administrative expenses.

**Current Law:** DNR is responsible, under the Natural Resources Article, for (1) promoting, administering, and managing every State-owned or leased forest, park, scenic preserve, natural area, parkway, historic monument, and recreation area, and (2) administering every law and regulation relating to those resources. The Natural Resources Article also contains a General Assembly finding that forests, streams, valleys, wetlands, parks, and scenic, historic, and recreation areas of the State are basic assets, and their proper use, development, and preservation are necessary to protect and promote the health, safety, economy, and general welfare of the people of the State.

Current statute and regulations do not directly address designation and use of State-owned land for foraging by individuals. The *DNR Lands Acreage Report* (see link on this [page](#)) describes the various types of public lands the department owns and manages.

**State Expenditures:** General and/or special fund expenditures increase, beginning in fiscal 2027, to establish an initial edible forest under the program. DNR estimates that the cost to establish an edible forest plot on State land is approximately \$10,000 per acre for site preparation, tree/shrub installation, and initial maintenance. It is assumed, for the purposes of this fiscal and policy note, that the program is administered by existing DNR staff at first; however, depending on the level of interest in the program, additional staff may be needed to expand and maintain the program. The cost of hiring one additional natural resources technician in fiscal 2028, for context, totals approximately \$75,223. To the extent fee revenues from foraging permits are not sufficient to cover the costs of the program, general funds are required.

### **State Revenues:**

#### *Special Funds*

Special fund revenues increase, beginning in fiscal 2027, reflecting foraging permit fee revenues; however, the level of interest in the program and associated fee revenues, cannot be reliably estimated at this time.

#### *General Funds*

Although the bill indicates that interest earnings of the new special fund remain in the fund, the bill does not amend Section 8 of Chapter 717 of 2024 (the Budget Reconciliation and Financing Act of 2024) which requires, notwithstanding any other provision of law, that interest earnings from special funds or accounts (with certain exceptions) accrue to the general fund from fiscal 2024 through 2028. Thus, general fund revenues increase minimally from interest earnings of the new special fund through fiscal 2028. The fund is exempted from a similar requirement under § 6-226(a)(2) of the State Finance and Procurement Article that applies from fiscal 2029 forward.

## **Additional Information**

**Recent Prior Introductions:** Similar legislation has been introduced within the last three years. See SB 317 and HB 257 of 2025.

**Designated Cross File:** None.

**Information Source(s):** Department of Natural Resources; Department of Legislative Services

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