

HOUSE BILL 1112

D3, J1, M3

5lr2447

By: **Delegates Hornberger, Charkoudian, and Solomon**

Introduced and read first time: February 5, 2025

Assigned to: Judiciary and Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **PFAS Chemicals – Civil Actions and Prohibition on Consumer Product Sales**

3 FOR the purpose of altering certain time limits for bringing certain civil actions concerning
4 exposure of a person to PFAS chemicals; prohibiting a person, on or after a certain
5 date, from manufacturing, selling, or distributing in the State a certain consumer
6 product that contains PFAS chemicals; and generally relating to PFAS chemicals.

7 BY repealing and reenacting, with amendments,
8 Article – Courts and Judicial Proceedings
9 Section 3–904(g) and 5–113(b)
10 Annotated Code of Maryland
11 (2020 Replacement Volume and 2024 Supplement)

12 BY adding to
13 Article – Courts and Judicial Proceedings
14 Section 5–113.1
15 Annotated Code of Maryland
16 (2020 Replacement Volume and 2024 Supplement)

17 BY repealing and reenacting, without amendments,
18 Article – Environment
19 Section 6–1601(a)
20 Annotated Code of Maryland
21 (2013 Replacement Volume and 2024 Supplement)

22 BY repealing and reenacting, with amendments,
23 Article – Environment
24 Section 6–1601(e)
25 Annotated Code of Maryland
26 (2013 Replacement Volume and 2024 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



BY adding to
Article – Environment
Section 6–1604.2
Annotated Code of Maryland
(2013 Replacement Volume and 2024 Supplement)

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

Article – Courts and Judicial Proceedings

3–904.

(g) (1) Except as provided in [paragraph (2) or (3)] **PARAGRAPH (2), (3), OR (4)** of this subsection, an action under this subtitle shall be filed within three years after the death of the injured person.

(2) (i) In this paragraph, “occupational disease” means a disease caused by exposure to any toxic substance in the person’s workplace and contracted by a person in the course of the person’s employment.

(ii) **THIS PARAGRAPH DOES NOT APPLY TO AN ACTION UNDER THIS SECTION ARISING FROM EXPOSURE TO PFAS CHEMICALS, AS DEFINED IN § 6–1601 OF THE ENVIRONMENT ARTICLE.**

(III) If an occupational disease was a cause of a person’s death, an action **UNDER THIS SECTION** shall be filed **WITHIN THE EARLIER OF:**

1. [Within] 10 years of the [time] **DATE** of death; or

2. [Within] 3 years of the date when the cause of death was discovered[, whichever is the shorter].

(3) IF EXPOSURE TO PFAS CHEMICALS WAS A CAUSE OF A PERSON’S DEATH, AN ACTION UNDER THIS SECTION SHALL BE FILED WITHIN THE EARLIER OF:

(I) 10 YEARS OF THE DATE OF DEATH; OR

(II) 3 YEARS OF THE DATE WHEN THE CAUSE OF DEATH WAS DISCOVERED.

~~[(3)]~~ (4) (i) This paragraph applies only to a wrongful death cause of action arising from conduct that would constitute a criminal homicide under State or federal law.

(ii) If knowledge of a cause of action or the identity of a person whose wrongful act contributed to a homicide is kept from a party by the conduct of an adverse party or an accessory or accomplice of an adverse party:

1. The cause of action shall be deemed to accrue at the time the party discovered or should have discovered by the exercise of ordinary diligence the homicide and the identity of the person who contributed to the homicide;

2. A presumption shall exist that the party should have discovered by the exercise of ordinary diligence the identity of the person who contributed to the homicide after:

A. A charging document is filed against the person alleged to have participated in the homicide; and

B. The charging document is unsealed and available to the public; and

3. An action under this subtitle shall be filed within 3 years after the date that the cause of action accrues.

5–113.

(b) (1) THIS SECTION DOES NOT APPLY TO AN ACTION FOR PERSONAL INJURY ARISING FROM EXPOSURE TO PFAS CHEMICALS, AS DEFINED IN § 6–1601 OF THE ENVIRONMENT ARTICLE.

(2) An action for damages arising out of an occupational disease shall be filed within 3 years of the discovery of facts from which it was known or reasonably should have been known that an occupational disease was the proximate cause of death, but in any event not later than 10 years from the date of death.

5–113.1.

IF EXPOSURE TO PFAS CHEMICALS, AS DEFINED IN § 6–1601 OF THE ENVIRONMENT ARTICLE, WAS A CAUSE OF INJURY TO A PERSON, INCLUDING ANY COMPLICATIONS TO PREGNANCY AND POTENTIAL DAMAGE TO OFFSPRING AS A RESULT OF THE EXPOSURE, AN ACTION FOR DAMAGES SHALL BE FILED WITHIN THE EARLIER OF:

(1) 10 YEARS OF THE DATE OF EXPOSURE; OR

(2) 3 YEARS OF THE DATE WHEN THE CAUSE OF INJURY WAS DISCOVERED.

Article – Environment

6–1601.

(a) In this subtitle the following words have the meanings indicated.

(e) “PFAS chemicals” means, when used in fire–fighting agents, fire–fighting equipment, food packaging, [and] rugs and carpets, **AND CONSUMER PRODUCTS**, a class of fluorinated organic chemicals that contain at least one fully fluorinated carbon atom, including perfluoroalkyl and polyfluoroalkyl substances.

6–1604.2.

(A) THIS SECTION APPLIES TO CONSUMER PRODUCTS NOT OTHERWISE REGULATED UNDER:

(1) THIS SUBTITLE;

(2) TITLE 9, SUBTITLE 19 OF THIS ARTICLE; OR

(3) § 21–259.2 OF THE HEALTH – GENERAL ARTICLE.

(B) ON OR AFTER JULY 1, 2026, A PERSON MAY NOT MANUFACTURE, SELL, OFFER FOR SALE, OR DISTRIBUTE IN THE STATE A CONSUMER PRODUCT THAT CONTAINS PFAS CHEMICALS.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2025.