

HOUSE BILL 706

E4, M3
SB 822/21 – EHE

2lr2034
CF SB 630

By: **Delegates Sample–Hughes and Watson**
Introduced and read first time: January 31, 2022
Assigned to: Environment and Transportation

Committee Report: Favorable with amendments
House action: Adopted
Read second time: April 2, 2022

CHAPTER _____

1 AN ACT concerning

2 **Maryland Department of Emergency Management – Office of Resilience**

3 FOR the purpose of establishing the Office of Resilience in the Maryland Department of
4 Emergency Management; requiring the Director of the Maryland Department of
5 Emergency Management to appoint a Chief Resilience Officer to direct the Office of
6 Resilience; ~~requiring the Department of Housing and Community Development, the~~
7 ~~Maryland Department of the Environment, the Maryland Environmental Service,~~
8 ~~the Maryland Department of Transportation, the Maryland Agricultural~~
9 ~~Resource-Based Industry Development Corporation, the Department of Natural~~
10 ~~Resources, the Adaptation and Resiliency Workgroup of the Maryland Commission~~
11 ~~on Climate Change, and the University of Maryland Center for Environmental~~
12 ~~Science to appoint liaisons to the Office of Resilience for certain purposes; requiring~~
13 the Office of Resilience to coordinate with appropriate State agencies and State
14 entities to meet certain goals; and generally relating to the Office of Resilience in the
15 Department of Emergency Management.

16 BY repealing and reenacting, without amendments,
17 Article – Public Safety
18 Section 14–101(a) through (c) and (g)
19 Annotated Code of Maryland
20 (2018 Replacement Volume and 2021 Supplement)

21 BY adding to
22 Article – Public Safety

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 Section 14–1201 through 14–1204 to be under the new subtitle “Subtitle 12. Office
2 of Resilience”
3 Annotated Code of Maryland
4 (2018 Replacement Volume and 2021 Supplement)

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

7 **Article – Public Safety**

8 14–101.

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

10 (b) “Department” means the Maryland Department of Emergency Management.

11 (c) “Emergency” means the imminent threat or occurrence of severe or
12 widespread loss of life, injury, or other health impacts, property damage or destruction,
13 social or economic disruption, or environmental degradation from natural, technological, or
14 human–made causes.

15 (g) “Secretary” means the Secretary of Emergency Management.

16 **SUBTITLE 12. OFFICE OF RESILIENCE.**

17 **14–1201.**

18 **THERE IS AN OFFICE OF RESILIENCE IN THE MARYLAND DEPARTMENT OF**
19 **EMERGENCY MANAGEMENT.**

20 **14–1202.**

21 **(A) THE HEAD OF THE OFFICE OF RESILIENCE IS THE CHIEF RESILIENCE**
22 **OFFICER, WHO SHALL BE APPOINTED BY AND SERVE AT THE PLEASURE OF THE**
23 **SECRETARY.**

24 **(B) THE CHIEF RESILIENCE OFFICER IS IN THE EXECUTIVE SERVICE OF**
25 **THE STATE PERSONNEL MANAGEMENT SYSTEM AND IS ENTITLED TO THE SALARY**
26 **PROVIDED IN THE STATE BUDGET.**

27 **(C) THE CHIEF RESILIENCE OFFICER IS RESPONSIBLE FOR COORDINATING**
28 **STATE AND LOCAL EFFORTS TO BUILD RESILIENCE TO RISKS IDENTIFIED IN THE**
29 **MARYLAND HAZARD MITIGATION PLAN.**

30 **(D) THE DUTIES OF THE CHIEF RESILIENCE OFFICER INCLUDE:**

1 (1) COORDINATING STATE AND LOCAL EFFORTS TO BUILD
2 RESILIENCE TO RISKS IDENTIFIED IN THE MARYLAND HAZARD MITIGATION PLAN;

3 (2) DEVELOPING A STATE RESILIENCE STRATEGY AND ASSISTING
4 LOCAL AGENCIES IN THEIR EFFORTS TO PREPARE AND IMPLEMENT RESILIENCE
5 STRATEGIES;

6 (3) COORDINATING ACROSS STATE AND LOCAL AGENCIES TO
7 PREPARE AND IMPLEMENT RESILIENCE STRATEGIES;

8 (4) IDENTIFYING, SECURING, AND ASSISTING IN ACCESSING
9 FEDERAL, STATE, AND PRIVATE FUNDING STREAMS AND TECHNICAL ASSISTANCE
10 THAT CAN BE USED TO SUPPORT STATE AND LOCAL RESILIENCE EFFORTS;

11 (5) WORKING WITH BUSINESS LEADERS FROM INDUSTRIES
12 VULNERABLE TO THE RISKS TO IDENTIFY BEST PRACTICES FOR PREPARING FOR
13 AND RESPONDING TO RISKS; AND

14 (6) ENSURING THAT INVESTMENTS PRIORITIZE VULNERABLE
15 COMMUNITIES AND ENVIRONMENTAL JUSTICE.

16 14-1203.

17 (A) THE OFFICE OF RESILIENCE SHALL:

18 (1) COORDINATE AND ADMINISTER FEDERAL PREVENTION,
19 PROTECTION, MITIGATION, AND RECOVERY-FOCUSED PROGRAMS;

20 (2) ADMINISTER STATE MITIGATION GRANTS AND LOANS;

21 (3) ~~DEVELOP~~ IDENTIFY FLOOD RISK ASSESSMENT TOOLS FOR USE BY
22 PROGRAMS AND PROJECTS STATEWIDE;

23 (4) ADMINISTER OTHER PROGRAMS AS DIRECTED BY THE
24 SECRETARY AND THE CHIEF RESILIENCE OFFICER;

25 (5) PRIORITIZE VULNERABLE COMMUNITIES AND ENSURE THAT
26 INVESTMENTS ARE MADE WITH A FOCUS ON ENVIRONMENTAL JUSTICE; AND

27 (6) CONDUCT OUTREACH AND PROVIDE TECHNICAL ASSISTANCE TO
28 LOCAL JURISDICTIONS TO SUPPORT THE DEVELOPMENT OF LOCAL RESILIENCY
29 PLANS.

1 (B) (1) ON OR BEFORE JANUARY 1, 2024, AND EACH JANUARY 1
 2 THEREAFTER, THE OFFICE OF RESILIENCE SHALL REPORT TO THE STATE
 3 TREASURER, THE GOVERNOR, AND, IN ACCORDANCE WITH § 2-1257 OF THE STATE
 4 GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY ON THE CURRENT STATUS AND
 5 EFFICACY OF STATE AND LOCAL RESILIENCY EFFORTS.

6 (2) THE REPORT SHALL INCLUDE:

7 (I) A SUMMARY OF THE ACTIVITY OF THE OFFICE OF
 8 RESILIENCE DURING THE PREVIOUS CALENDAR YEAR;

9 (II) RECOMMENDATIONS BASED ON INFORMATION GATHERED
 10 BY THE MARYLAND DEPARTMENT OF THE ENVIRONMENT AND THE UNIVERSITY OF
 11 MARYLAND CENTER FOR ENVIRONMENTAL SCIENCE; AND

12 (III) PLANS TO INCREASE RESILIENCY IN THE STATE FOR THE
 13 NEXT YEAR, 2 YEARS, 5 YEARS, AND 10 YEARS, INCLUDING POTENTIAL FUNDING
 14 SOURCES FOR THE PLANS.

15 14-1204.

16 (A) WITH SUPPORT FROM APPROPRIATE STATE AGENCIES AND STATE
 17 ENTITIES ~~AS PROVIDED UNDER SUBSECTION (B) OF THIS SECTION~~, THE OFFICE OF
 18 RESILIENCE SHALL COORDINATE STRATEGIES AND ~~IMPLEMENT STATE PROGRAMS~~
 19 IMPROVE INTERAGENCY COORDINATION TO MEET THE FOLLOWING GOALS:

20 (1) ENSURING RAPID STATE SUPPORT FOLLOWING EMERGENCIES;

21 (2) ~~ELIMINATING~~ MINIMIZING FLOODING IN RESIDENTIAL AREAS;

22 (3) PROMOTING CLIMATE-INFORMED INVESTMENTS;

23 (4) INFORMING AND EDUCATING THE PUBLIC ON EMERGENCY
 24 SAFETY AND RISKS;

25 (5) BUILDING NEIGHBORHOOD RESILIENCY ~~AND~~
 26 ~~DE-CONCENTRATING POVERTY;~~

27 (6) ~~DESIGNING~~ IMPROVING COASTAL RESILIENCE;

28 (7) ADAPTING AGRICULTURAL PRACTICES TO RESPOND TO
 29 INCREASING PRECIPITATION, TEMPERATURES, AND SOIL SALINIZATION; AND

30 (8) ~~IMPROVING INTERAGENCY COORDINATION; AND~~

1 ~~(9)~~ (8) REDUCING THE POTENTIAL IMPACT OF OTHER HAZARDS
2 IDENTIFIED IN THE MARYLAND HAZARD MITIGATION PLAN.

3 ~~(B) (1) THE STATE AGENCIES AND ENTITIES REFERENCED IN~~
4 ~~PARAGRAPHS (2) THROUGH (11) OF THIS SUBSECTION SHALL APPOINT A LIAISON TO~~
5 ~~THE OFFICE OF RESILIENCE IN ORDER TO SUPPORT AND COORDINATE STATEWIDE~~
6 ~~RESILIENCY EFFORTS FOR THE PURPOSES PROVIDED.~~

7 ~~(2) THE DEPARTMENT OF HOUSING AND COMMUNITY~~
8 ~~DEVELOPMENT SHALL COORDINATE WITH THE OFFICE OF RESILIENCE TO:~~

9 ~~(I) DEVELOP PROGRAMS TO ELEVATE AND FLOOD PROOF~~
10 ~~HOUSING IN RECLASSIFIED FLOOD ZONES;~~

11 ~~(II) AID MUNICIPALITIES IN SECURING DESIGN GRANTS TO~~
12 ~~ELIMINATE FLOODING;~~

13 ~~(III) WITH CURRENT INITIATIVES, ENSURE THAT VULNERABLE~~
14 ~~COMMUNITIES HAVE ACCESS TO AIR CONDITIONING AND PROTECTION FROM~~
15 ~~STORMS;~~

16 ~~(IV) PROVIDE GUIDANCE TO ASSESS DEVELOPMENT PATTERNS~~
17 ~~IN SEA LEVEL RISE HAZARD ZONES AND OTHER CLIMATE RELATED RISK AREAS; AND~~

18 ~~(V) DEVELOP DYNAMIC SCORING MODELS AND EVALUATION~~
19 ~~TOOLS TO ASSIST WITH PLANNING AND CAPTURE OF FUTURE IMPACTS ON~~
20 ~~DIFFERENT COMMUNITY SUPPORT FUNCTIONS.~~

21 ~~(3) THE MARYLAND DEPARTMENT OF THE ENVIRONMENT SHALL~~
22 ~~COORDINATE WITH THE OFFICE OF RESILIENCE TO:~~

23 ~~(I) UPDATE FLOOD MAPS FOR CURRENT AND PROJECTED~~
24 ~~PRECIPITATION LEVELS; AND~~

25 ~~(II) SHARE RESOURCES AND THE LATEST SCIENTIFIC FINDINGS~~
26 ~~ON SEA LEVEL RISE RISKS AND URGENCY TO ADVANCE INVESTMENT AND~~
27 ~~ADAPTATION PLANNING.~~

28 ~~(4) THE MARYLAND ENVIRONMENTAL SERVICE SHALL COORDINATE~~
29 ~~WITH THE OFFICE OF RESILIENCE TO:~~

~~(I) DEVELOP PLANS FOR CORRIDORS OF MARSH MITIGATION AND ADOPT REGULATIONS THAT ALLOW SHORELINES TO ROLL INLAND WHILE MAINTAINING HABITAT AND WILDLIFE FUNCTION;~~

~~(II) DEVELOP GUIDANCE FOR LOCAL GOVERNMENTS TO ADDRESS MANAGED RETREAT STRATEGIES; AND~~

~~(III) DESIGN COASTAL RESILIENCE INITIATIVES THAT REMOVE OR REHABILITATE BLIGHTED STRUCTURES TO RESTORE COASTAL LANDS AND HABITATS AND CREATE SOFTER SHORELINES.~~

~~(5) THE MARYLAND CLEAN ENERGY CENTER SHALL COORDINATE WITH THE OFFICE OF RESILIENCE TO:~~

~~(I) UPDATE AND DRAFT BUILDING CODES TO WITHSTAND FLOODING; AND~~

~~(II) PROMOTE THE USE OF ELECTRIC HEAT, ELECTRIC HEAT PUMPS, AND ELECTRIC APPLIANCES TO REDUCE THE USE OF GAS AND OTHER FOSSIL FUELS.~~

~~(6) THE MARYLAND DEPARTMENT OF LABOR SHALL COORDINATE WITH THE OFFICE OF RESILIENCE TO:~~

~~(I) DEVELOP CONSUMER FOCUSED CAMPAIGNS TO EDUCATE THE PUBLIC ON THE IMPORTANCE OF RESILIENT BUILDING TO HOMEOWNERS, RENTERS, AND BUSINESSES AND TO INSTRUCT ON WHAT CONSUMERS SHOULD CONSIDER WHEN EVALUATING PROPERTIES, INSURANCE, INVESTMENTS, AND OTHER RELATED TOPICS; AND~~

~~(II) REVIEW CURRENT BUILDING CODE ADOPTION ACROSS THE STATE, EVALUATE THE IMPACT THAT BUILDING CODE ADOPTION HAS ON COMMUNITY RESILIENCE, JOBS, PROPERTY VALUES, AND TAX REVENUES, AND ASSESS WHAT INVESTMENTS MAY SUPPORT THE INCREASED ADOPTION OF UPDATED BUILDING CODES THAT ARE RESPONSIVE TO CLIMATE RELATED RISKS.~~

~~(7) THE MARYLAND DEPARTMENT OF TRANSPORTATION SHALL COORDINATE WITH THE OFFICE OF RESILIENCE TO IMPROVE COASTAL RESILIENCE THROUGH INITIATIVES SUCH AS NATURE BASED SOLUTIONS IN ROADWAY UPGRADES, ROADWAY REDESIGNS, AND ROADWAY REMOVAL IN ORDER TO REDUCE FLOODING AND IMPROVE HABITAT HEALTH.~~

1 ~~(8) THE MARYLAND AGRICULTURAL AND RESOURCE BASED~~
2 ~~INDUSTRY DEVELOPMENT CORPORATION SHALL COORDINATE WITH THE OFFICE~~
3 ~~OF RESILIENCE TO:~~

4 ~~(I) BUILD CLIMATE RESILIENCE EXPERTISE THROUGH THE~~
5 ~~MARYLAND EXTENSION TO SUPPORT BEST PRACTICES IN AGRICULTURE;~~

6 ~~(II) SUPPORT CROP TRANSITIONS AND PRACTICES THAT~~
7 ~~IMPROVE RESILIENCE AND SUPPORT BETTER ACCESS TO NEW MARKETS; AND~~

8 ~~(III) SUPPORT UPGRADES TO DRAINAGE DITCHES AND CANAL~~
9 ~~SYSTEMS TO PROVIDE ADEQUATE DRAINAGE FOR FARMERS AND HOMEOWNERS.~~

10 ~~(9) THE DEPARTMENT OF NATURAL RESOURCES SHALL~~
11 ~~COORDINATE WITH THE OFFICE OF RESILIENCE TO:~~

12 ~~(I) IMPLEMENT ATLAS 14 DATA;~~

13 ~~(II) SUPPORT THE DEVELOPMENT AND ADVANCEMENT OF~~
14 ~~NUISANCE FLOOD PLANNING AND PROGRAMS;~~

15 ~~(III) DEVELOP PLANS AND REGULATIONS FOR CORRIDORS OF~~
16 ~~MARSH MIGRATION THAT ALLOW SHORELINES TO ROLL INLAND WHILE~~
17 ~~MAINTAINING HABITAT AND WILDLIFE FUNCTION;~~

18 ~~(IV) DESIGN COASTAL RESILIENCE INITIATIVES TO REMOVE OR~~
19 ~~REHABILITATE BLIGHTED STRUCTURES TO RESTORE COASTAL LANDS AND~~
20 ~~HABITATS AND CREATE SOFTER SHORELINES; AND~~

21 ~~(V) SHARE RESOURCES AND THE LATEST SCIENTIFIC FINDINGS~~
22 ~~ON SEA LEVEL RISE RISKS AND URGENCY TO ADVANCE INVESTMENT AND~~
23 ~~ADAPTATION PLANNING.~~

24 ~~(10) THE ADAPTATION AND RESILIENCY WORKING GROUP OF THE~~
25 ~~MARYLAND COMMISSION ON CLIMATE CHANGE SHALL COORDINATE WITH THE~~
26 ~~OFFICE OF RESILIENCE TO:~~

27 ~~(I) ASSIST WITH THE PRODUCTION OF AN UPDATED STATE~~
28 ~~ADAPTATION AND RESILIENCY STRATEGY; AND~~

29 ~~(II) REVIEW OR ALTER WORKGROUP MEMBERSHIP AT THE~~
30 ~~REQUEST OF THE OFFICE OF RESILIENCE.~~

1 ~~(11)~~ (B) THE UNIVERSITY OF MARYLAND CENTER FOR
2 ENVIRONMENTAL SCIENCE SHALL COORDINATE WITH THE OFFICE OF RESILIENCE
3 TO:

4 ~~(I)~~ (1) ESTABLISH A RESILIENCE BASELINE FOR THE STATE;

5 ~~(II)~~ (2) DEVELOP A STATEWIDE RESILIENCE ASSESSMENT TO
6 SUPPORT LOCAL GOVERNMENT BENCHMARKING FOR USE IN A STATEWIDE
7 RESILIENCE TRACKER TO HELP IDENTIFY INVESTMENT NEEDS;

8 ~~(III)~~ (3) DEVELOP INDICATORS TO MONITOR THE
9 EFFECTIVENESS OF RESILIENCE EFFORTS AND ESTABLISH FUTURE GOALS; AND

10 ~~(IV)~~ (4) PRODUCE AN ECONOMIC ANALYSIS AND POLICY
11 BENCHMARK REPORT TO INCLUDE:

12 ~~1.~~ (I) AN EXAMINATION OF THE FINANCIAL IMPACT
13 OF EXTREME WEATHER OR OTHER HAZARDOUS EVENTS IN THE STATE;

14 ~~2.~~ (II) AN ESTIMATE OF NECESSARY RESOURCES
15 NEEDED TO PREPARE FOR AND REDUCE THE ADVERSE EFFECTS OF HAZARDOUS
16 EVENTS IN THE STATE;

17 ~~3.~~ (III) THE IDENTIFICATION OF AVAILABLE FUNDING
18 SOURCES, INCLUDING THOSE USED BY OTHER STATES; AND

19 ~~4.~~ (IV) A COMPARISON OF STATE POLICIES AND
20 RESILIENCE EFFORTS WITH THOSE OF OTHER VULNERABLE STATES, INCLUDING
21 FLORIDA, MASSACHUSETTS, NEW YORK, NORTH CAROLINA, AND VIRGINIA.

22 SECTION 2. AND BE IT FURTHER ENACTED, That it is the intent of the General
23 Assembly that State agencies and entities coordinate and cooperate with the Office of
24 Resilience to carry out strategies and programs related to resilience.

25 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
26 October 1, 2022.