



Maryland Department of Agriculture

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MARYLAND DEPARTMENT OF AGRICULTURE

LEGISLATIVE COMMENT

DATE: February 11, 2020

BILL NUMBER: SENATE BILL 491

SHORT TITLE: REGULATION OF INVASIVE PLANTS - BAMBOO - PROHIBITIONS

MDA POSITION: INFORMATION

EXPLANATION:

Senate Bill 491 states that a person may not grow bamboo without proper upkeep and appropriate containment measures and spread from their property to the adjoining property of another person or a public right-of-way. Upon discovering bamboo in violation of this bill, the Maryland Department of Agriculture Secretary would be required to provide written notice to the owner of the property on which the bamboo originated.

BACKGROUND INFORMATION:

This bill amends the Invasive Plant Law, which was created for the regulation of invasive plants in the nursery industry. The Invasive Plant Law requires the use of a scientific based weed risk assessment for any plant to be included on the tiered list. It is also important for any plant on the list to be in the nursery trade. It is not expected that all invasive plants will be reviewed.

MDA would be required to regulate homeowner disputes involving the spread of bamboo, which is not something currently done. Presently, the only plants MDA regulates are those of agricultural concerns, such as noxious weeds. Noxious weeds are detrimental to the agriculture industry because they can be found in agricultural fields and reduce crop yield. Bamboo is not considered an agricultural weed.

When MDA receives inquires around the spread bamboo the person is directed to contact the University of Maryland Extension to discuss control of the plant.

It is recommended that homeowners work with their county code enforcement offices to

develop rules on invasive plant spread for homeowners.

If you have additional questions, please contact Cassie Shirk, Director of Legislation and Governmental Affairs, at cassie.shirk@maryland.gov or 410-841-5886.