

HOUSE BILL 72

M1

HB 257/25 – ENT

(PRE-FILED)

6lr0812

By: **Delegate Charkoudian**

Requested: September 10, 2025

Introduced and read first time: January 14, 2026

Assigned to: Environment and Transportation

A BILL ENTITLED

1 AN ACT concerning

2 **Natural Resources – Edible Forests and Foraging Program – Establishment**

3 FOR the purpose of establishing an Edible Forests and Foraging Program within the
4 Department of Natural Resources; requiring individuals who forage in designated
5 foraging areas to obtain a foraging permit; requiring the Department to charge a
6 permit application fee and establish a fee waiver process for individuals who
7 demonstrate financial need; requiring the Department to establish and maintain
8 edible forests on State-owned land, subject to available funding; prohibiting the
9 Department from requiring an individual to obtain a foraging permit to forage within
10 an edible forest; establishing the Edible Forests and Foraging Fund as a special,
11 nonlapsing fund in the Department to support the Edible Forests and Foraging
12 Program; requiring interest earnings of the Fund to be credited to the Fund; and
13 generally relating to foraging on State land.

14 BY adding to

15 Article – Natural Resources

16 Section 5–2201 through 5–2205 to be under the new subtitle “Subtitle 22. Edible
17 Forests and Foraging Program”

18 Annotated Code of Maryland

19 (2023 Replacement Volume and 2025 Supplement)

20 BY repealing and reenacting, without amendments,

21 Article – State Finance and Procurement

22 Section 6–226(a)(1) and (2)(i) and (ii)

23 Annotated Code of Maryland

24 (2021 Replacement Volume and 2025 Supplement)

25 BY repealing and reenacting, with amendments,

26 Article – State Finance and Procurement

27 Section 6–226(a)(2)(iii)212. and 213.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



Annotated Code of Maryland (2021 Replacement Volume and 2025 Supplement)

adding to
Article – State Finance and Procurement
Section 6–226(a)(2)(iii)214.
Annotated Code of Maryland
(2021 Replacement Volume and 2025 Supplement)

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

Article – Natural Resources

SUBTITLE 22. EDIBLE FORESTS AND FORAGING PROGRAM.

12 5-2201.

13 (A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS
14 INDICATED.

15 (B) "DESIGNATED FORAGING AREA" MEANS DEPARTMENT-OWNED LAND
16 DESIGNATED BY THE DEPARTMENT FOR FORAGING IN ACCORDANCE WITH § 5-2202
17 OF THIS SUBTITLE.

(C) "EDIBLE FOREST" MEANS STATE-OWNED LAND THAT IS CULTIVATED FOR THE PURPOSE OF HARVESTING NONINVASIVE PLANTS FOR NONCOMMERCIAL PERSONAL CONSUMPTION.

21 (D) (1) "FORAGING" MEANS HARVESTING MUSHROOMS OR PLANT
22 MATERIALS, INCLUDING SEEDS, NUTS, ROOTS, TUBERS, AND BERRIES, FOR
23 NONCOMMERCIAL PERSONAL CONSUMPTION.

(2) "FORAGING" DOES NOT INCLUDE HARVESTING THREATENED OR
ENDANGERED PLANT SPECIES DESIGNATED UNDER § 10-2A-04 OF THIS ARTICLE.

26 (E) "FORAGING PERMIT" MEANS THE PERMIT THAT AUTHORIZES FORAGING
27 IN A DESIGNATED FORAGING AREA

(F) "FUND" MEANS THE EDIBLE FORESTS AND FORAGING FUND ESTABLISHED UNDER § 5-2205 OF THIS SUBTITLE.

(G) "PROGRAM" MEANS THE EDIBLE FORESTS AND FORAGING PROGRAM.

1 **5–2202.**

2 **(A) THERE IS AN EDIBLE FORESTS AND FORAGING PROGRAM IN THE**
3 **DEPARTMENT.**

4 **(B) THE PURPOSE OF THE PROGRAM IS TO:**

5 **(1) DESIGNATE FORAGING AREAS;**

6 **(2) AUTHORIZE AND REGULATE FORAGING WITHIN DESIGNATED**
7 **FORAGING AREAS; AND**

8 **(3) FACILITATE THE ESTABLISHMENT AND MAINTENANCE OF EDIBLE**
9 **FORESTS.**

10 **5–2203.**

11 **(A) THERE IS A FORAGING PERMIT.**

12 **(B) AN INDIVIDUAL SHALL OBTAIN A FORAGING PERMIT TO FORAGE WITHIN**
13 **A DESIGNATED FORAGING AREA.**

14 **(C) TO OBTAIN A FORAGING PERMIT, AN INDIVIDUAL SHALL:**

15 **(1) SUBMIT AN APPLICATION TO THE DEPARTMENT; AND**

16 **(2) SUBJECT TO SUBSECTION (D) OF THIS SECTION, PAY AN**
17 **APPLICATION FEE, AS SET BY THE DEPARTMENT.**

18 **(D) THE DEPARTMENT SHALL WAIVE THE FORAGING PERMIT APPLICATION**
19 **FEES FOR AN INDIVIDUAL WHO DEMONSTRATES FINANCIAL NEED.**

20 **(E) THE DEPARTMENT MAY REQUIRE AN INDIVIDUAL TO SUCCESSFULLY**
21 **COMPLETE AN ORIENTATION OR A FORAGING COURSE BEFORE RECEIVING A**
22 **PERMIT.**

23 **(F) A FORAGING PERMIT SHALL BE VALID FOR 1 YEAR FOLLOWING THE**
24 **DATE OF ISSUANCE.**

25 **(G) THE DEPARTMENT SHALL ADOPT REGULATIONS TO IMPLEMENT THIS**
26 **SECTION, INCLUDING REGULATIONS:**

27 **(1) DESIGNATING FORAGING AREAS ON DEPARTMENT–OWNED LAND;**

1 **(2) ESTABLISHING A FORAGING PERMIT APPLICATION FEE; AND**

2 **(3) ESTABLISHING A FEE WAIVER PROCESS FOR INDIVIDUALS WHO**
3 **Demonstrate financial need.**

4 **5-2204.**

5 **(A) SUBJECT TO AVAILABLE FUNDING, THE DEPARTMENT SHALL**
6 **ESTABLISH AND MAINTAIN EDIBLE FORESTS ON STATE-OWNED LAND.**

7 **(B) NOTWITHSTANDING § 5-2203 OF THIS SUBTITLE, THE DEPARTMENT**
8 **MAY NOT REQUIRE AN INDIVIDUAL TO OBTAIN A FORAGING PERMIT TO FORAGE IN**
9 **AN EDIBLE FOREST.**

10 **5-2205.**

11 **(A) THERE IS AN EDIBLE FORESTS AND FORAGING FUND.**

12 **(B) THE PURPOSE OF THE FUND IS TO SUPPORT:**

13 **(1) THE DESIGNATION OF FORAGING AREAS; AND**

14 **(2) THE CULTIVATION OF NONINVASIVE PLANTS ON STATE-OWNED**
15 **LAND TO BE USED AS EDIBLE FORESTS.**

16 **(C) THE DEPARTMENT SHALL ADMINISTER THE FUND.**

17 **(D) (1) THE FUND IS A SPECIAL, NONLAPSING FUND THAT IS NOT**
18 **SUBJECT TO § 7-302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.**

19 **(2) THE STATE TREASURER SHALL HOLD THE FUND SEPARATELY,**
20 **AND THE COMPTROLLER SHALL ACCOUNT FOR THE FUND.**

21 **(E) THE FUND CONSISTS OF:**

22 **(1) PERMIT APPLICATION FEES COLLECTED UNDER § 5-2203 OF THIS**
23 **SUBTITLE;**

24 **(2) MONEY APPROPRIATED IN THE STATE BUDGET TO THE FUND;**

25 **(3) INTEREST EARNINGS; AND**

1 **(4) ANY OTHER MONEY FROM ANY OTHER SOURCE ACCEPTED FOR**
2 **THE BENEFIT OF THE FUND.**

3 **(F) THE FUND MAY BE USED ONLY FOR:**

4 **(1) DESIGNATING, PLANTING, AND MAINTAINING DESIGNATED**
5 **FORAGING AREAS AND EDIBLE FORESTS; AND**

6 **(2) ADMINISTRATIVE EXPENSES CALCULATED IN ACCORDANCE WITH**
7 **§ 1-103(B)(2) OF THIS ARTICLE.**

8 **(G) (1) THE STATE TREASURER SHALL INVEST THE MONEY OF THE FUND**
9 **IN THE SAME MANNER AS OTHER STATE MONEY MAY BE INVESTED.**

10 **(2) ANY INTEREST EARNINGS OF THE FUND SHALL BE CREDITED TO**
11 **THE FUND.**

12 **(H) EXPENDITURES FROM THE FUND MAY BE MADE ONLY IN ACCORDANCE**
13 **WITH THE STATE BUDGET.**

14 **Article – State Finance and Procurement**

15 6–226.

16 (a) (1) Except as otherwise specifically provided by law or by regulation of the
17 Treasurer, the Treasurer shall credit to the General Fund any interest on or other income
18 from State money that the Treasurer invests.

19 (2) (i) This paragraph does not apply in fiscal years 2024 through 2028.

20 (ii) Notwithstanding any other provision of law, and unless
21 inconsistent with a federal law, grant agreement, or other federal requirement or with the
22 terms of a gift or settlement agreement, net interest on all State money allocated by the
23 State Treasurer under this section to special funds or accounts, and otherwise entitled to
24 receive interest earnings, as accounted for by the Comptroller, shall accrue to the General
25 Fund of the State.

26 (iii) The provisions of subparagraph (ii) of this paragraph do not
27 apply to the following funds:

28 212. the Department of Social and Economic Mobility Special
29 Fund; [and]

30 213. the Population Health Improvement Fund; AND

214. THE EDIBLE FORESTS AND FORAGING FUND.

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