L2, M3 6lr0611
HB 709/15 – ENV & ECM

Bill No.: _____
Requested: _____
Committee: _____

Drafted by: Carter
Typed by: Jessica
Stored – 10/01/15
Proofread by _____
Checked by _____

By: **Prince George's County Delegation**

A BILL ENTITLED

AN ACT concerning

Prince George's County – Authority to Impose Fees for Use of Disposable Bags

PG 404–16

FOR the purpose of authorizing Prince George's County to impose, by law, a fee on certain retail establishments for use of disposable bags as part of a retail sale of products; limiting the amount of a certain fee; defining certain terms; and generally relating to the authority for Prince George's County to impose a fee for use of disposable bags.

BY adding to
Article – Local Government
Section 13–1001 to be under the new subtitle "Subtitle 10. Miscellaneous Provisions"
Annotated Code of Maryland
(2013 Volume and 2015 Supplement)

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

Article – Local Government

SUBTITLE 10. MISCELLANEOUS PROVISIONS.

EXPLANATION: **CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.**
[Brackets**]** indicate matter deleted from existing law.

13–1001.

(A) THIS SECTION APPLIES ONLY IN PRINCE GEORGE'S COUNTY.

(B) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) (I) "DISPOSABLE BAG" MEANS A PLASTIC BAG PROVIDED BY A STORE TO A CUSTOMER AT THE POINT OF SALE.

(II) "DISPOSABLE BAG" DOES NOT INCLUDE:

1. A DURABLE PLASTIC BAG WITH HANDLES THAT IS AT LEAST 2.25 MILS THICK AND IS DESIGNED AND MANUFACTURED FOR MULTIPLE REUSE;

2. A BAG USED TO:

A. PACKAGE BULK ITEMS, INCLUDING FRUIT, VEGETABLES, NUTS, GRAINS, CANDY, OR SMALL HARDWARE ITEMS;

B. CONTAIN OR WRAP FROZEN FOODS, MEAT, OR FISH, WHETHER PREPACKAGED OR NOT;

C. CONTAIN OR WRAP FLOWERS, POTTED PLANTS, OR OTHER DAMP ITEMS;

D. CONTAIN UNWRAPPED PREPARED FOODS OR BAKERY GOODS; OR

E. CONTAIN A NEWSPAPER OR DRY CLEANING;

3. A BAG PROVIDED BY A PHARMACIST TO CONTAIN PRESCRIPTION DRUGS; AND

4. PLASTIC BAGS SOLD IN PACKAGES CONTAINING MULTIPLE PLASTIC BAGS INTENDED FOR USE AS GARBAGE, PET WASTE, OR YARD WASTE BAGS.

1 **(3) "STORE" MEANS A RETAIL ESTABLISHMENT THAT PROVIDES**
2 **DISPOSABLE BAGS TO CUSTOMERS AS A RESULT OF THE SALE OF A PRODUCT.**

3 **(C) (1) THE COUNTY MAY IMPOSE, BY LAW, A FEE ON A STORE FOR THE**
4 **USE OF DISPOSABLE BAGS AS A PART OF A RETAIL SALE OF PRODUCTS.**

5 **(2) THE FEE IMPOSED UNDER PARAGRAPH (1) OF THIS SUBSECTION**
6 **MAY NOT EXCEED 5 CENTS FOR EACH DISPOSABLE BAG USED.**

7 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
8 October 1, 2016.