

Department of Legislative Services
Maryland General Assembly

FISCAL NOTE

House Bill 714 (Charles County Delegation)

Judiciary

Litter Control Law

This bill requires “litter owners” to dispose of litter in an “approved location” that is designated by the State or its agencies or other political subdivisions. The bill provides that litter owners are responsible for the delivery of litter to an approved location, unless the owner has a licensed commercial litter hauler take possession for disposal. Litter disposal then becomes the responsibility of the licensed commercial hauler. The owner retains responsibility for the disposal of litter if an unlicensed hauler is used. Violators are subject to existing criminal penalty provisions (fines and/or jail terms) and other requirements.

Fiscal Summary

State Effect: None. The bill would not materially alter State operations or finances.

Local Effect: Enforcement could be handled with existing local government resources. Fines collected under the Litter Control Law are dispersed to the city, county, or bi-county agency where the violation occurred. Fines collected are used to defray the cost of placing and maintaining litter receptacles and any other purposes related to the removal or control of litter. To the extent that more fines are collected as a result of the bill, local governments could realize an increase in revenue that could be used for further litter control activities.

Small Business Effect: Potential meaningful.

Fiscal Analysis

Background: Current law does not specify that litter owners are responsible for the handling and disposal of their litter to an approved location, nor does it specify that litter haulers are required to be licensed. As a result, many litter owners are either improperly disposing of their litter, or denying responsibility for its disposal by employing the services of unlicensed litter haulers. In turn, these haulers improperly dispose of litter, causing problems for the surrounding neighborhoods in the county.

Small Business Effect: To the extent that small businesses, particularly commercial litter haulers, are found to be in violation of the provisions of the bill, they could face monetary penalties of up to \$25,000 depending on the amount of litter that is disposed of illegally. The owners of the business could also face imprisonment.

Information Source(s): Maryland Department of the Environment; Department of Public Safety and Correctional Services (Division of Correction); Baltimore City; Charles, Montgomery and Prince George's counties

Fiscal Note History: First Reader - February 25, 1998

tlw

Analysis by: Mike Sanelli

Reviewed by: John Rixey

Direct Inquiries to:

John Rixey, Coordinating Analyst

(410) 841-3710

(301) 858-3710