

HOUSE BILL 1049

L2, M3
HB 1111/13 – ENV & ECM

4lr0518

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

Introduced and read first time: February 6, 2014

Assigned to: Environmental Matters and Economic Matters

A BILL ENTITLED

1 AN ACT concerning

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

4 **PG 402–14**

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

10 BY adding to

11 Article – Local Government

12 Section 13–1001 to be under the new subtitle “Subtitle 10. Miscellaneous
13 Provisions”

14 Annotated Code of Maryland
15 (2013 Volume)

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

18 **Article – Local Government**

19 **SUBTITLE 10. MISCELLANEOUS PROVISIONS.**

20 **13–1001.**

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

3 **(2) (I) “DISPOSABLE BAG” MEANS A PAPER OR PLASTIC BAG**
4 **PROVIDED BY A STORE TO A CUSTOMER AT THE POINT OF SALE.**

5 **(II) “DISPOSABLE BAG” DOES NOT INCLUDE:**

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

9 **2. A BAG USED TO:**

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

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

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

16 **D. CONTAIN UNWRAPPED PREPARED FOODS OR**
17 **BAKERY GOODS; OR**

18 **E. CONTAIN A NEWSPAPER OR DRY CLEANING;**

19 **3. A BAG PROVIDED BY A PHARMACIST TO CONTAIN**
20 **PRESCRIPTION DRUGS;**

21 **4. PLASTIC BAGS SOLD IN PACKAGES CONTAINING**
22 **MULTIPLE PLASTIC BAGS INTENDED FOR USE AS GARBAGE, PET WASTE, OR**
23 **YARD WASTE BAGS; AND**

24 **5. A BAG THAT A RESTAURANT PROVIDES TO A**
25 **CUSTOMER TO TAKE FOOD OR DRINK AWAY FROM THE RESTAURANT.**

26 **(3) “STORE” MEANS A RETAIL ESTABLISHMENT THAT PROVIDES**
27 **DISPOSABLE BAGS TO CUSTOMERS AS A RESULT OF THE SALE OF A PRODUCT.**

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

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

3 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
4 October 1, 2014.