

SENATE BILL 429

E1, L1

0lr1321
CF HB 384

By: **Charles County Senators**

Introduced and read first time: January 27, 2020

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Charles County – Illegal Disposal of Bulky Items – Penalties**

3 FOR the purpose of authorizing the governing body of Charles County to adopt an
4 ordinance to prohibit the disposal of a bulky item in certain locations under certain
5 circumstances; authorizing Charles County to impose certain penalties for certain
6 violations; altering the definition of a certain term; making conforming changes; and
7 generally relating to the illegal disposal of bulky items in Charles County.

8 BY repealing and reenacting, with amendments,

9 Article – Criminal Law

10 Section 10–110(a) and (j)

11 Annotated Code of Maryland

12 (2012 Replacement Volume and 2019 Supplement)

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

15 **Article – Criminal Law**

16 10–110.

17 (a) (1) In this section the following words have the meanings indicated.

18 (2) “Bi–county unit” means:

19 (i) the Maryland–National Capital Park and Planning Commission;

20 or

21 (ii) the Washington Suburban Sanitary Commission.

22 (3) (i) “Bulky item” means any discarded furniture, home or industrial

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 appliance, or abandoned vehicle or part of an abandoned vehicle not designated for disposal
2 purposes under the laws of Prince George's County **OR CHARLES COUNTY**.

3 (ii) "Bulky item" does not include discarding, dropping, or scattering
4 of small quantities of waste matter ordinarily carried on or about the person, including:

5 1. beverage containers and closures;

6 2. packaging;

7 3. wrappers;

8 4. wastepaper;

9 5. newspapers;

10 6. magazines; and

11 7. waste matter that escapes or is allowed to escape from a
12 container, receptacle, or package.

13 (4) "Litter" means all rubbish, waste matter, refuse, garbage, trash, debris,
14 dead animals, or other discarded materials of every kind and description.

15 (5) "Public or private property" means:

16 (i) the right-of-way of a road or highway;

17 (ii) a body of water or watercourse or the shores or beaches of a body
18 of water or watercourse;

19 (iii) a park;

20 (iv) a parking facility;

21 (v) a playground;

22 (vi) public service company property or transmission line
23 right-of-way;

24 (vii) a building;

25 (viii) a refuge or conservation or recreation area;

26 (ix) residential or farm property; or

27 (x) timberlands or a forest.

1 (j) (1) The legislative body of a municipal corporation may:

2 (i) prohibit littering; and

3 (ii) classify littering as a municipal infraction under Title 6 of the
4 Local Government Article.

5 (2) The governing bodies of Prince George's County, Calvert County, and
6 Montgomery County may each adopt an ordinance to prohibit littering under this section
7 and, for violations of the ordinance, may impose criminal penalties and civil penalties that
8 do not exceed the criminal penalties and civil penalties specified in subsection (f)(1) through
9 (3) of this section.

10 (3) (i) The governing [body] **BODIES** of Prince George's County **AND**
11 **CHARLES COUNTY** may **EACH** adopt an ordinance to prohibit the disposal of a bulky item:

12 1. on a highway; or

13 2. on public or private property unless the property is
14 designated by the State, a unit of the State, or a political subdivision of the State for the
15 disposal of bulky items and the person is authorized by the proper public authority to use
16 the property.

17 (ii) For violations of [the] **AN** ordinance adopted under this
18 paragraph, [Prince George's County] **A COUNTY** may impose criminal penalties and civil
19 penalties that do not exceed the criminal penalties and civil penalties specified in
20 subparagraph (iii) of this paragraph.

21 (iii) A person who disposes of a bulky item in violation of this
22 paragraph is guilty of a misdemeanor and on conviction is subject to imprisonment not
23 exceeding 30 days or a fine not exceeding \$5,000 or both.

24 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
25 October 1, 2020.