

HOUSE BILL 586

P2, M3

3lr1946
CF 3lr1948

By: **Delegate Stein**

Introduced and read first time: February 3, 2023

Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **State Procurement – Purchasing Preferences – Compost, Mulch, and Soil**
3 **Amendments**

4 FOR the purpose of requiring each unit of State government to give preference to certain
5 products produced from organic materials when purchasing compost, mulch, or other
6 soil amendments; and generally relating to the procurement of compost, mulch, and
7 soil amendments.

8 BY repealing and reenacting, with amendments,
9 Article – State Finance and Procurement
10 Section 14–409
11 Annotated Code of Maryland
12 (2021 Replacement Volume and 2022 Supplement)

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

15 **Article – State Finance and Procurement**

16 14–409.

17 (a) **IN THIS SECTION, “PREFERENCE” MEANS:**

18 **(1) A PERCENTAGE PRICE PREFERENCE; AND**

19 **(2) ANY OTHER PROVISION THAT FAVORS PRODUCTS PRODUCED**
20 **FROM ORGANIC MATERIALS IN ACCORDANCE WITH THIS SECTION.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(B)** A State or local unit responsible for the maintenance of public lands in the
2 State, to the maximum extent practicable, shall give consideration and preference to the
3 use of compost in any land maintenance activity that is to be paid for with public funds.

4 **[(b)] (C)** It is the goal of the Department of General Services to:

5 (1) compost, to the extent practicable, all landscape waste on State
6 property that is under its operation for use as fertilizer in landscaping activities; and

7 (2) increase the percentage of landscaped area fertilized by compost each
8 year.

9 **(D) (1) IN PURCHASING COMPOST, MULCH, OR OTHER SOIL**
10 **AMENDMENTS, EACH UNIT OF STATE GOVERNMENT SHALL GIVE PREFERENCE TO**
11 **PRODUCTS PRODUCED FROM MUNICIPAL SOLID WASTE, FOOD WASTE, SLUDGE,**
12 **YARD WASTE, CLEAN WOOD WASTE, OR OTHER ORGANIC MATERIALS, PROVIDED**
13 **THAT:**

14 **(I) THE PRODUCTS ARE COMPETITIVELY PRICED; AND**

15 **(II) THE QUALITY OF THE PRODUCTS IS SATISFACTORY FOR THE**
16 **INTENDED PURPOSES.**

17 **(2) (I) SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, A**
18 **PRODUCT SHALL BE CONSIDERED TO BE COMPETITIVELY PRICED FOR PURPOSES OF**
19 **THIS SUBSECTION IF THE PRICE OF THE PRODUCT IS NOT MORE THAN 10% ABOVE**
20 **THE PRICE OF A COMPARABLE PRODUCT MANUFACTURED FROM VIRGIN**
21 **MATERIALS.**

22 **(II) IF THE MARYLAND GREEN PURCHASING COMMITTEE**
23 **DETERMINES THAT A 15% PRICE DIFFERENTIAL IS IN THE BEST INTEREST OF THE**
24 **STATE, A PRODUCT MAY BE CONSIDERED TO BE COMPETITIVELY PRICED FOR**
25 **PURPOSES OF THIS SUBSECTION IF THE PRICE OF THE PRODUCT IS NOT MORE THAN**
26 **15% ABOVE THE PRICE OF A COMPARABLE PRODUCT MANUFACTURED FROM VIRGIN**
27 **MATERIALS.**

28 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
29 October 1, 2023.