

Department of Legislative Services
Maryland General Assembly
2024 Session

FISCAL AND POLICY NOTE
Third Reader - Revised

House Bill 841

(Delegate Ruth, *et al.*)

Environment and Transportation

Education, Energy, and the Environment

Environment - Plastic Bottle Waste Reduction - Water Bottle Filling Stations and Reporting

This bill requires, beginning October 1, 2024, that a “water bottle filling station” or a combined water bottle filling station and drinking fountain be installed in all new construction for which a drinking fountain is required under the current version of the International Plumbing Code (IPC) or State or local law or regulation. The requirement applies only prospectively and does not apply to any new construction under contract before the bill’s effective date. The Maryland Department of Labor (MDL) must adopt implementing regulations. By October 1, 2025, the Maryland Department of the Environment (MDE) must conduct a related survey on plastic water bottle use by units of State government and institutions of higher education and identify alternative methods for providing drinking water. By December 1, 2025, MDE must post the survey on its website and submit the survey and alternative methods identified by MDE to the Governor and the General Assembly. **The bill takes effect July 1, 2024.**

Fiscal Summary

State Effect: The bill is not anticipated to materially affect State finances or operations, as discussed below.

Local Effect: Local government expenditures may increase minimally to include water bottle filling stations, or combination stations, in locally funded new construction projects. Local governments must also review building permit plans for conformance with the bill, which can be done through existing processes and with existing resources. No effect on revenues.

Small Business Effect: Minimal.

Analysis

Bill Summary: “Water bottle filling station” means a plumbing fixture connected to the potable water distribution system and sanitary drainage system that is designed and intended for filling personal use water bottles or containers at least 10 inches in height. It includes (1) a station that is separate from or integral to a drinking fountain and (2) a station that incorporates a water filter and cooling system for chilling the water.

Current Law: A county must enforce the State Plumbing Code or adopt and enforce a local plumbing code that meets or exceeds the minimum standards of the State Plumbing Code for the proper design, acceptable installation, and adequate maintenance of plumbing system. The State Plumbing Code, adopted by the State Board of Plumbing, is the 2018 IPC, although updated code versions are typically incorporated by reference in regulation every few years.

The 2021 IPC specifies the minimum number of drinking fountains required based on building classification and occupancy level. For example, educational facilities and general business facilities require 1 water fountain per 100 occupants. There is also a general minimum requirement of two drinking fountains per facility.

State Fiscal Effect: MDL can adopt the required regulations using existing budgeted resources. MDE can conduct the plastic water bottle use survey, post the survey, and submit the survey and alternative methods identified by the department using existing budgeted resources.

The Department of General Services advises that additional costs to comply with the bill for State projects that it oversees are minimal. Water bottle fillers are often already included in new projects by the department’s facility design and construction project managers. Additionally, a cursory review of water fountains and combination water fountains/water bottle fillers by the Department of Legislative Services indicates that the prices for water fountains and combination systems are relatively similar – some combination systems are less expensive than some standalone water fountains. Accordingly, the bill is not anticipated to materially affect State finances or operations with respect to new construction.

Additional Comments: MDL advises that it is unclear if the bill allows the installation of a water dispenser that is *not* connected to a potable distribution system or sanitary drainage system as a reasonable substitute for “water bottle filling stations” as defined in the bill. According to MDL, IPC deems water bottle filling systems that are not connected to a potable water distribution system or a sanitary drainage system as acceptable substitutes when a building occupancy load requires three or more drinking fountains to be installed.

They are permitted to be substituted for up to 50% of the required number of drinking fountains.

Additional Information

Recent Prior Introductions: Similar legislation has not been introduced within the last three years.

Designated Cross File: None.

Information Source(s): Maryland Department of the Environment; Department of General Services; Maryland Department of Labor; University System of Maryland; Anne Arundel, Baltimore, and Montgomery counties; City of Havre de Grace; Maryland Association of Counties; Maryland Municipal League; International Code Council; Department of Legislative Services.

Fiscal Note History: First Reader - February 19, 2024
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