

HOUSE BILL 1111

L2, M3
HB 895/12 – ENV

3lr0389

By: **Prince George's County Delegation**
Introduced and read first time: February 8, 2013
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 401–13**

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; defining certain terms; and generally relating to the authority for
8 Prince George's County to impose a fee for use of disposable bags.

9 BY adding to
10 Article 24 – Political Subdivisions – Miscellaneous Provisions
11 Section 25–101 to be under the new title “Title 25. Fees for Use of Disposable
12 Bags in Prince George's County”
13 Annotated Code of Maryland
14 (2011 Replacement Volume and 2012 Supplement)

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

17 **Article 24 – Political Subdivisions – Miscellaneous Provisions**

18 **TITLE 25. FEES FOR USE OF DISPOSABLE BAGS IN PRINCE GEORGE'S COUNTY.**

19 **25–101.**

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

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

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

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

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

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

10 **B. CONTAIN OR WRAP FROZEN FOODS, MEAT, OR**
11 **FISH, WHETHER PREPACKAGED OR NOT;**

12 **C. CONTAIN OR WRAP FLOWERS, POTTED PLANTS,**
13 **OR OTHER DAMP ITEMS;**

14 **D. CONTAIN UNWRAPPED PREPARED FOODS OR**
15 **BAKERY GOODS; OR**

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

17 **3. A BAG PROVIDED BY A PHARMACIST TO CONTAIN**
18 **PRESCRIPTION DRUGS;**

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

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

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

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

29 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
30 October 1, 2013.

