

# HOUSE BILL 1137

L2, M3  
HB 704/15 – ENV & ECM

6lr0806

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

Introduced and read first time: February 11, 2016

Assigned to: Environment and Transportation and Economic Matters

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## A BILL ENTITLED

1 AN ACT concerning

2 **Prince George’s County – Authority to Prohibit the Use of Disposable Bags**

3 **PG 418–16**

4 FOR the purpose of authorizing Prince George’s County to enact a law that prohibits certain  
5 retail establishments from using disposable bags as part of a retail sale of products;  
6 defining certain terms; and generally relating to the authority for Prince George’s  
7 County to prohibit the use of disposable bags.

8 BY adding to

9 Article – Local Government

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

11 Annotated Code of Maryland

12 (2013 Volume and 2015 Supplement)

13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

14 That the Laws of Maryland read as follows:

15 **Article – Local Government**

16 **SUBTITLE 10. MISCELLANEOUS PROVISIONS.**

17 **13–1001.**

18 **(A) THIS SECTION APPLIES ONLY IN PRINCE GEORGE’S COUNTY.**

19 **(B) (1) IN THIS SECTION, “DISPOSABLE BAG” MEANS A PAPER OR PLASTIC**  
20 **BAG PROVIDED BY A STORE TO A CUSTOMER AT THE POINT OF SALE.**

21 **(2) “DISPOSABLE BAG” DOES NOT INCLUDE:**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1                   **(I) A DURABLE PLASTIC BAG WITH HANDLES THAT IS AT LEAST**  
2 **2.25 MILS THICK AND IS DESIGNED AND MANUFACTURED FOR MULTIPLE REUSE;**

3                   **(II) A BAG USED TO:**

4                   1.    **PACKAGE BULK ITEMS, INCLUDING FRUIT,**  
5 **VEGETABLES, NUTS, GRAINS, CANDY, OR SMALL HARDWARE ITEMS;**

6                   2.    **CONTAIN OR WRAP FROZEN FOODS, MEAT, OR FISH,**  
7 **WHETHER PREPACKAGED OR NOT;**

8                   3.    **CONTAIN OR WRAP FLOWERS, POTTED PLANTS, OR**  
9 **OTHER DAMP ITEMS;**

10                  4.    **CONTAIN UNWRAPPED PREPARED FOODS OR BAKERY**  
11 **GOODS; OR**

12                  5.    **CONTAIN A NEWSPAPER OR DRY CLEANING;**

13                  **(III) A BAG PROVIDED BY A PHARMACIST TO CONTAIN**  
14 **PRESCRIPTION DRUGS;**

15                  **(IV) PLASTIC BAGS SOLD IN PACKAGES CONTAINING MULTIPLE**  
16 **PLASTIC BAGS INTENDED FOR USE AS GARBAGE, PET WASTE, OR YARD WASTE BAGS;**  
17 **AND**

18                  **(V) A BAG THAT A RESTAURANT PROVIDES TO A CUSTOMER TO**  
19 **TAKE FOOD OR DRINK AWAY FROM THE RESTAURANT.**

20                  **(C) THE COUNTY MAY ENACT A LAW THAT PROHIBITS A STORE FROM USING**  
21 **DISPOSABLE BAGS AS PART OF A RETAIL SALE OF PRODUCTS.**

22                  SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
23 October 1, 2016.