

SENATE BILL 885

M3

7lr3235
CF HB 1309

By: ~~Senator Rosapepe~~ **Senators Rosapepe and Kagan**

Introduced and read first time: February 3, 2017

Assigned to: Education, Health, and Environmental Affairs

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 14, 2017

CHAPTER _____

1 AN ACT concerning

2 **Environment – Recycling – Special Events**

3 FOR the purpose of ~~altering the application of certain provisions of law relating to recycling~~
4 ~~at special events~~; requiring the State, a county, a municipality, or any other local
5 government to provide a certain written statement before issuing a certain permit
6 for a special event; ~~requiring a county, a municipality, or any other local government~~
7 ~~to enforce certain provisions of law relating to recycling at a special event~~; altering a
8 certain ~~penalties~~ penalty; ~~making stylistic changes~~; and generally relating to
9 recycling at special events.

10 BY repealing and reenacting, with amendments,
11 Article – Environment
12 Section 9–1712
13 Annotated Code of Maryland
14 (2014 Replacement Volume and 2016 Supplement)

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

17 **Article – Environment**

18 9–1712.

19 (a) (1) This section applies to any special event that:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 (i) Includes temporary or periodic use of a public street, publicly
2 owned site or facility, or public park;

3 (ii) Serves food or drink; and

4 (iii) Is expected to have ~~200~~ **100** or more persons in attendance.

5 (2) This section does not affect the authority of a county, a municipality, or
6 any other local government to enact and enforce recycling requirements, including
7 establishing civil penalties, for a special event that are more stringent than the
8 requirements of this section.

9 (b) **(1) BEFORE ISSUING A PERMIT FOR A SPECIAL EVENT, THE STATE, A**
10 **COUNTY, A MUNICIPALITY, OR ANY OTHER LOCAL GOVERNMENT SHALL PROVIDE TO**
11 **THE ORGANIZER OF THE SPECIAL EVENT A WRITTEN STATEMENT THAT DESCRIBES**
12 **THE REQUIREMENTS AND PENALTIES UNDER THIS SECTION.**

13 ~~[(1)]~~ **(2)** In addition to any other conditions required as part of a special
14 events or other permit, the organizer of a special event shall:

15 (i) Provide a recycling receptacle immediately adjacent to each
16 trash receptacle at the special event;

17 (ii) Ensure that all recycling receptacles are clearly distinguished
18 from trash receptacles by color or signage; and

19 (iii) Ensure that all recyclable materials deposited into recycling
20 receptacles at the special event are collected for recycling.

21 ~~[(2)]~~ **(3)** A county may require the organizer of a special event that
22 provides for recycling to report to the county on recycling activities in a manner determined
23 by the county.

24 (c) The recycling required under subsection (b) of this section shall be carried out
25 in accordance with the recycling plan required under § 9-1703 of this subtitle for the county
26 in which the special event takes place.

27 (d) A person **OR AN ORGANIZATION** that violates subsection (b) or (c) of this
28 section is subject to a civil penalty ~~not exceeding \$50~~ **\$300** for each day on which the
29 violation exists ~~or~~.

30 ~~(1) FOR EVENTS THAT HAVE 100 TO 499 PERSONS IN ATTENDANCE,~~
31 ~~\$500;~~

32 ~~(2) FOR EVENTS THAT HAVE 500 TO 999 PERSONS IN ATTENDANCE,~~
33 ~~\$1,000;~~

1 ~~(3) FOR EVENTS THAT HAVE 1,000 TO 9,999 PERSONS IN~~
2 ~~ATTENDANCE, \$10,000;~~

3 ~~(4) FOR EVENTS THAT HAVE 10,000 TO 99,999 PERSONS IN~~
4 ~~ATTENDANCE, \$100,000; AND~~

5 ~~(5) FOR EVENTS THAT HAVE 100,000 OR MORE PERSONS IN~~
6 ~~ATTENDANCE, \$500,000.~~

7 ~~(e) (1) A COUNTY, A MUNICIPALITY, OR ANY OTHER LOCAL GOVERNMENT~~
8 ~~THAT ISSUES A SPECIAL EVENTS OR OTHER PERMIT AUTHORIZING A SPECIAL EVENT~~
9 ~~SHALL ENFORCE THIS SECTION.~~

10 ~~(2)~~ An enforcement unit, officer, or official of a county, a municipality, or
11 any other local government may conduct inspections of a special event location to enforce
12 [subsection (b) of] this section.

13 (f) Any penalties collected under subsection (d) of this section shall be paid to the
14 county, municipality, or other local government that brought the enforcement action.

15 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
16 October 1, 2017.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.