

# HOUSE BILL 354

M3, C2

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By: **Delegates Love, C. Watson, Boyce, Bridges, Charkoudian, Feldmark, W. Fisher, Fraser-Hidalgo, Guyton, Kelly, Korman, Lehman, R. Lewis, Lierman, Mosby, Palakovich Carr, Shetty, Solomon, Stewart, and Terrasa**  
Introduced and read first time: January 20, 2020  
Assigned to: Economic Matters and Environment and Transportation

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## A BILL ENTITLED

1 AN ACT concerning

2 **Solid Waste Management – Personal Cleansing Products Provided at Lodging**  
3 **Establishments – Prohibition**

4 FOR the purpose of prohibiting an owner, an operator, or a manager of a lodging  
5 establishment from providing a certain personal cleansing product in a certain small  
6 plastic bottle under certain circumstances; authorizing an owner, an operator, or a  
7 manager of a lodging establishment to provide a certain personal cleansing product  
8 in a certain small plastic bottle under certain circumstances; providing for the  
9 enforcement of this Act; establishing certain penalties; defining certain terms;  
10 providing for the application of this Act; and generally relating to personal cleansing  
11 products provided at lodging establishments.

12 BY adding to

13 Article – Environment

14 New part designation “Part I. Labeling of Biodegradable and Compostable Plastic  
15 Products” to immediately precede Section 9–2101; and Section 9–2108  
16 through 9–2111 to be under the new part “Part II. Personal Cleansing  
17 Products”

18 Annotated Code of Maryland

19 (2014 Replacement Volume and 2019 Supplement)

20 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,  
21 That the new part designation “Part I. Labeling of Biodegradable and Compostable Plastic  
22 Products” be added to immediately precede Section 9–2101 of Article – Environment of the  
23 Annotated Code of Maryland.

24 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read  
25 as follows:

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



## 1 Article – Environment

2 9–2106. RESERVED.

3 9–2107. RESERVED.

## 4 PART II. PERSONAL CLEANSING PRODUCTS.

5 9–2108.

6 (A) IN THIS PART THE FOLLOWING WORDS HAVE THE MEANINGS  
7 INDICATED.

8 (B) (1) “LODGING ESTABLISHMENT” MEANS AN ESTABLISHMENT THAT:

9 (I) CONTAINS ONE OR MORE ROOMS AVAILABLE FOR A FEE;  
10 AND11 (II) IS USED BY TRANSIENT GUESTS FOR LODGING OR SLEEPING  
12 PURPOSES.

13 (2) “LODGING ESTABLISHMENT” INCLUDES:

14 (I) A HOTEL;

15 (II) A MOTEL;

16 (III) A RESORT;

17 (IV) A BED AND BREAKFAST INN; AND

18 (V) A VACATION RENTAL UNIT.

19 (3) “LODGING ESTABLISHMENT” DOES NOT INCLUDE:

20 (I) A HOSPITAL;

21 (II) A NURSING HOME;

22 (III) A RESIDENTIAL RETIREMENT COMMUNITY;

23 (IV) A PRISON OR JAIL;

- 1 (V) A HOMELESS SHELTER;
- 2 (VI) A BOARDING SCHOOL;
- 3 (VII) A LONG-TERM RENTAL UNIT;
- 4 (VIII) AN EMPLOYEE HOUSING UNIT; OR
- 5 (IX) A RESIDENTIAL DWELLING UNIT OR A PORTION OF THE
- 6 UNIT USED FOR LIMITED RESIDENTIAL LODGING.

7 (C) (1) “PERSONAL CLEANSING PRODUCT” MEANS A PRODUCT INTENDED  
8 TO BE APPLIED TO OR USED ON THE HUMAN BODY FOR PURPOSES OF CLEANSING.

9 (2) “PERSONAL CLEANSING PRODUCT” INCLUDES:

- 10 (I) SHAMPOO;
- 11 (II) HAIR CONDITIONER; AND
- 12 (III) BATH SOAP.

13 (D) “PLASTIC” HAS THE MEANING STATED IN § 9-2001 OF THIS TITLE.

14 (E) “SMALL PLASTIC BOTTLE” MEANS A PLASTIC BOTTLE OR CONTAINER  
15 THAT:

- 16 (1) HAS LESS THAN A 6-OUNCE CAPACITY; AND
- 17 (2) IS INTENDED TO BE NONREUSABLE BY THE END USER.

18 9-2109.

19 THIS PART APPLIES ONLY TO:

20 (1) BEGINNING JANUARY 1, 2023, A LODGING ESTABLISHMENT THAT  
21 HAS 51 OR MORE ROOMS USED FOR LODGING OR SLEEPING PURPOSES; AND

22 (2) ON AND AFTER JANUARY 1, 2024, ALL LODGING  
23 ESTABLISHMENTS.

24 9-2110.

1           **(A) SUBJECT TO § 9-2109 OF THIS PART AND EXCEPT AS PROVIDED IN**  
2 **SUBSECTION (B) OF THIS SECTION, AN OWNER, AN OPERATOR, OR A MANAGER OF A**  
3 **LODGING ESTABLISHMENT MAY NOT PROVIDE A PERSONAL CLEANSING PRODUCT IN**  
4 **A SMALL PLASTIC BOTTLE:**

5                   **(1) TO A GUEST STAYING AT THE LODGING ESTABLISHMENT;**

6                   **(2) IN ANY PART OF A ROOM USED FOR LODGING OR SLEEPING**  
7 **PURPOSES, INCLUDING THE BATHROOM; OR**

8                   **(3) IN A BATHROOM THAT IS SHARED BY:**

9                           **(I) GUESTS STAYING AT THE LODGING ESTABLISHMENT; OR**

10                           **(II) MEMBERS OF THE PUBLIC.**

11           **(B) AN OWNER, AN OPERATOR, OR A MANAGER OF A LODGING**  
12 **ESTABLISHMENT MAY PROVIDE TO A GUEST STAYING AT THE LODGING**  
13 **ESTABLISHMENT A PERSONAL CLEANSING PRODUCT IN A SMALL PLASTIC BOTTLE IF**  
14 **THE PERSONAL CLEANSING PRODUCT IS PROVIDED:**

15                   **(1) ON REQUEST OF THE GUEST;**

16                   **(2) AT NO COST TO THE GUEST; AND**

17                   **(3) IN AN AREA OTHER THAN THE AREAS DESCRIBED UNDER**  
18 **SUBSECTION (A)(2) OR (3) OF THIS SECTION.**

19 **9-2111.**

20           **(A) THIS PART MAY BE ENFORCED BY:**

21                   **(1) THE DEPARTMENT;**

22                   **(2) A UNIT OF LOCAL GOVERNMENT THAT HAS THE AUTHORITY TO**  
23 **INSPECT LODGING ESTABLISHMENTS; OR**

24                   **(3) THE ATTORNEY GENERAL.**

25           **(B) A PERSON WHO VIOLATES THIS PART IS SUBJECT TO:**

26                   **(1) FOR A FIRST VIOLATION, A WARNING; AND**

1                   **(2) FOR A SECOND OR SUBSEQUENT VIOLATION, A CIVIL PENALTY OF**  
2 **UP TO \$500 BUT NOT EXCEEDING \$2,000 PER PERSON PER YEAR.**

3                   SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
4 October 1, 2020.