

HOUSE BILL 988

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By: **Delegates Smith, R. Lewis, Lierman, and Mosby**

Introduced and read first time: February 5, 2020

Assigned to: Environment and Transportation and Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Environment – Business Recycling Reporting Requirements**

3 FOR the purpose of requiring a certain business to submit a certain recycling report to a
4 certain county on or before a certain date each year; specifying the contents of the
5 recycling report; establishing a certain penalty for a violation of this Act; providing
6 for the enforcement of this Act; providing for the distribution of certain penalties;
7 defining certain terms; and generally relating to business recycling reports.

8 BY repealing and reenacting, without amendments,

9 Article – Environment

10 Section 9–1705

11 Annotated Code of Maryland

12 (2014 Replacement Volume and 2019 Supplement)

13 BY adding to

14 Article – Environment

15 Section 9–1705.1

16 Annotated Code of Maryland

17 (2014 Replacement Volume and 2019 Supplement)

18 BY repealing and reenacting, with amendments,

19 Article – Environment

20 Section 9–1711(b)(2) and 9–1714(b)(3)

21 Annotated Code of Maryland

22 (2014 Replacement Volume and 2019 Supplement)

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

24 That the Laws of Maryland read as follows:

25 **Article – Environment**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 9-1705.

2 (a) Beginning on July 1, 1990, and biannually thereafter, each county which has
3 not achieved the percentage of reduction in its solid waste stream required by this article
4 shall, as a part of its solid waste plan update, provide a report to the Department which
5 shall include:

6 (1) The total amount, by weight, of solid waste collected;

7 (2) The total amount, by weight, of solid waste disposed of at solid waste
8 acceptance facilities;

9 (3) The amount and types of materials recycled;

10 (4) The methods of disposal of solid waste used, other than recycling; and

11 (5) The percentage reduction in the solid waste stream that has been
12 achieved.

13 (b) A county that has achieved the percentage of solid waste stream reduction
14 required by this article shall provide the report described in subsection (a) of this section to
15 the Department annually, on a calendar year basis.

16 (c) All reports shall be provided within 90 days after the close of the annual or
17 biannual reporting period.

18 **9-1705.1.**

19 (A) (1) IN THIS SECTION, "BUSINESS" MEANS A NONPROFIT OR
20 COMMERCIAL ENTITY THAT PRIVATELY CONTRACTS FOR WASTE REMOVAL OR
21 RECYCLING SERVICES.

22 (2) "BUSINESS" INCLUDES THE PROPERTY OWNER OR MANAGER OF
23 AN APARTMENT BUILDING AND THE COUNCIL OF UNIT OWNERS OF A CONDOMINIUM,
24 SUBJECT TO § 9-1711 OF THIS SUBTITLE.

25 (B) (1) TO ASSIST THE COUNTY IN THE PREPARATION OF THE REPORTS
26 REQUIRED UNDER § 9-1705 OF THIS PART, ON OR BEFORE MARCH 1 EACH YEAR,
27 EACH BUSINESS THAT GENERATED RECYCLABLE MATERIALS IN THE COUNTY SHALL
28 SUBMIT TO THE COUNTY A RECYCLING REPORT ON A FORM THAT THE COUNTY
29 PROVIDES.

30 (2) THE RECYCLING REPORT SHALL INCLUDE THE FOLLOWING
31 INFORMATION FOR THE IMMEDIATELY PRECEDING CALENDAR YEAR:

1 **(I) THE TOTAL AMOUNT, BY WEIGHT, OF SOLID WASTE**
2 **GENERATED BY THE BUSINESS;**

3 **(II) THE AMOUNT AND TYPES OF MATERIALS RECYCLED BY THE**
4 **BUSINESS; AND**

5 **(III) ANY OTHER INFORMATION REQUIRED BY THE COUNTY.**

6 **(C) A BUSINESS THAT VIOLATES THIS SECTION IS SUBJECT TO A CIVIL**
7 **PENALTY NOT EXCEEDING \$50 FOR EACH DAY ON WHICH THE VIOLATION EXISTS.**

8 **(D) AN ENFORCEMENT UNIT, OFFICER, OR OFFICIAL OF A COUNTY,**
9 **MUNICIPALITY, OR OTHER LOCAL GOVERNMENT MAY ENFORCE THIS SECTION.**

10 **(E) ANY PENALTIES COLLECTED UNDER SUBSECTION (C) OF THIS SECTION**
11 **SHALL BE PAID TO THE COUNTY, MUNICIPALITY, OR OTHER LOCAL GOVERNMENT**
12 **THAT BROUGHT THE ENFORCEMENT ACTION.**

13 9-1711.

14 (b) (2) A county [may] **SHALL** require a property owner or manager of an
15 apartment building or a council of unit owners of a condominium that provides for recycling
16 for the residents of the dwelling units in accordance with paragraph (1) of this subsection
17 to report to the county on recycling activities in [a manner determined by the county]
18 **ACCORDANCE WITH § 9-1705.1 OF THIS SUBTITLE.**

19 9-1714.

20 (b) (3) A county [may] **SHALL** require an office building owner or a tenant of
21 an office building that provides for recycling in accordance with this subsection to report to
22 the county on recycling activities in [a manner determined by the county] **ACCORDANCE**
23 **WITH § 9-1705.1 OF THIS SUBTITLE.**

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