

HOUSE BILL 866

M3
HB 988/20 – ENT & ECM

1lr2398

By: **Delegate Smith**

Introduced and read first time: January 29, 2021

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 requiring, rather than authorizing, a county to require a certain property owner,
8 manager, or tenant to report to the county on recycling activities in a certain manner;
9 defining a certain term; and generally relating to business recycling reports.

10 BY repealing and reenacting, without amendments,
11 Article – Environment
12 Section 9–1705
13 Annotated Code of Maryland
14 (2014 Replacement Volume and 2020 Supplement)

15 BY adding to
16 Article – Environment
17 Section 9–1705.1
18 Annotated Code of Maryland
19 (2014 Replacement Volume and 2020 Supplement)

20 BY repealing and reenacting, with amendments,
21 Article – Environment
22 Section 9–1711(b)(2) and 9–1714(b)(3)
23 Annotated Code of Maryland
24 (2014 Replacement Volume and 2020 Supplement)

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **Article – Environment**

2 9–1705.

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

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

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

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

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

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

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

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

19 **9–1705.1.**

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

23 **(2) “BUSINESS” INCLUDES THE PROPERTY OWNER OR MANAGER OF**
24 **AN APARTMENT BUILDING AND THE COUNCIL OF UNIT OWNERS OF A CONDOMINIUM,**
25 **SUBJECT TO § 9–1711 OF THIS SUBTITLE.**

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

31 **(2) THE RECYCLING REPORT SHALL INCLUDE THE FOLLOWING**

1 INFORMATION FOR THE IMMEDIATELY PRECEDING CALENDAR YEAR:

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

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

6 (III) ANY OTHER INFORMATION REQUIRED BY THE COUNTY.

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

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

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

14 9-1711.

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

20 9-1714.

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

25 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
26 October 1, 2021.