

# SENATE BILL 782

P2, M3

3lr1948  
CF HB 586

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By: **Senator Hester**

Introduced and read first time: February 6, 2023

Assigned to: Budget and Taxation

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## A BILL ENTITLED

1 AN ACT concerning

2 **State Procurement – Purchasing Preferences – Compost, Mulch, and Soil**  
3 **Amendments and Recycled Aggregate**

4 FOR the purpose of requiring each unit of State government to give preference to certain  
5 products produced from recycled or organic materials when purchasing compost,  
6 mulch, or other soil amendments or recycled aggregate; and generally relating to the  
7 procurement of compost, mulch, and soil amendments or recycled aggregate.

8 BY repealing and reenacting, with amendments,  
9 Article – State Finance and Procurement  
10 Section 14–409  
11 Annotated Code of Maryland  
12 (2021 Replacement Volume and 2022 Supplement)

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

15 **Article – State Finance and Procurement**

16 14–409.

17 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS  
18 INDICATED.

19 (2) “AGGREGATE” MEANS GRAVEL, CRUSHED STONE, SAND, AND  
20 OTHER SIMILAR MATERIALS.

21 (3) “PREFERENCE” MEANS:

22 (I) A PERCENTAGE PRICE PREFERENCE; AND

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1                   **(II) ANY OTHER PROVISION THAT FAVORS PRODUCTS**  
2 **PRODUCED FROM RECYCLED OR ORGANIC MATERIALS IN ACCORDANCE WITH THIS**  
3 **SECTION.**

4           **[(a)] (B)**     A State or local unit responsible for the maintenance of public lands in  
5 the State, to the maximum extent practicable, shall give consideration and preference to  
6 the use of compost in any land maintenance activity that is to be paid for with public funds.

7           **[(b)] (C)**     It is the goal of the Department of General Services to:

8                   (1)    compost, to the extent practicable, all landscape waste on State  
9 property that is under its operation for use as fertilizer in landscaping activities; and

10                  (2)    increase the percentage of landscaped area fertilized by compost each  
11 year.

12           **(D) (1) IN PURCHASING COMPOST, MULCH, OR OTHER SOIL AMENDMENTS**  
13 **OR RECYCLED AGGREGATE, EACH UNIT OF STATE GOVERNMENT SHALL GIVE**  
14 **PREFERENCE TO PRODUCTS PRODUCED FROM MUNICIPAL SOLID WASTE, FOOD**  
15 **WASTE, SLUDGE, YARD WASTE, CLEAN WOOD WASTE, OR OTHER RECYCLED OR**  
16 **ORGANIC MATERIALS, PROVIDED THAT:**

17                   **(I) THE PRODUCTS ARE COMPETITIVELY PRICED; AND**

18                   **(II) THE QUALITY OF THE PRODUCTS IS SATISFACTORY FOR THE**  
19 **INTENDED PURPOSES.**

20                   **(2) (I) SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, A**  
21 **PRODUCT SHALL BE CONSIDERED TO BE COMPETITIVELY PRICED FOR PURPOSES OF**  
22 **THIS SUBSECTION IF THE PRICE OF THE PRODUCT IS NOT MORE THAN 10% ABOVE**  
23 **THE PRICE OF A COMPARABLE PRODUCT MANUFACTURED FROM VIRGIN**  
24 **MATERIALS.**

25                   **(II) IF THE MARYLAND GREEN PURCHASING COMMITTEE**  
26 **DETERMINES THAT A 15% PRICE DIFFERENTIAL IS IN THE BEST INTEREST OF THE**  
27 **STATE, A PRODUCT MAY BE CONSIDERED TO BE COMPETITIVELY PRICED FOR**  
28 **PURPOSES OF THIS SUBSECTION IF THE PRICE OF THE PRODUCT IS NOT MORE THAN**  
29 **15% ABOVE THE PRICE OF A COMPARABLE PRODUCT MANUFACTURED FROM VIRGIN**  
30 **MATERIALS.**

31           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
32 October 1, 2023.