

HOUSE BILL 407

M3

5lr2028

By: **Delegate Edelson**

Introduced and read first time: January 16, 2025

Assigned to: Environment and Transportation

A BILL ENTITLED

1 AN ACT concerning

2 **Environment – Municipal Recycling Plans – Requirement**

3 FOR the purpose of requiring certain municipal corporations to periodically adopt or update
4 certain recycling plans that provide for a reduction through recycling of a certain
5 percentage of the municipal corporation's solid waste stream by weight under certain
6 circumstances; requiring the Department of Planning to identify certain municipal
7 corporations as part of certain population projections; and generally relating to
8 recycling by municipal corporations.

9 BY repealing and reenacting, without amendments,
10 Article – Environment
11 Section 9–505(a)(18) and (19), (d), and (e)
12 Annotated Code of Maryland
13 (2014 Replacement Volume and 2024 Supplement)

14 BY repealing and reenacting, with amendments,
15 Article – Environment
16 Section 9–505(c)
17 Annotated Code of Maryland
18 (2014 Replacement Volume and 2024 Supplement)

19 BY adding to
20 Article – Environment
21 Section 9–505(f)
22 Annotated Code of Maryland
23 (2014 Replacement Volume and 2024 Supplement)

24 BY repealing and reenacting, with amendments,
25 Article – State Finance and Procurement
26 Section 5–306
27 Annotated Code of Maryland

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(2021 Replacement Volume and 2024 Supplement)

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

Article – Environment

9–505.

(a) In addition to the other requirements of this subtitle, each county plan shall:

(18) For a county with a population greater than 150,000 according to the latest Department of Planning projections, include a recycling plan by July 1, 2014 that:

(i) Provides for a reduction through recycling of at least 35% of the county's solid waste stream by weight or submits adequate justification, including economic and other specific factors, as to why the 35% reduction cannot be met;

(ii) Provides for recycling of the solid waste stream to the extent practical and economically feasible, but in no event may less than a 15% reduction be submitted; and

(iii) Requires full implementation of the recycling plan by December 31, 2015; and

(19) For a county with a population less than 150,000 according to the latest Department of Planning projections, include a recycling plan by July 1, 2014 that:

(i) Provides for a reduction through recycling of at least 20% of the county's solid waste stream or submits adequate justification, including economic and other specific factors, as to why the 20% reduction cannot be met;

(ii) Provides for recycling of the solid waste stream to the extent practical and economically feasible, but in no event may less than a 10% reduction be submitted; and

(iii) Requires full implementation of the recycling plan by December 31, 2015.

(c) **(1)** The recycling reductions of 35% and 20% provided in subsection (a)(18) and (19) of this section are not intended to be the maximum percentage that a county can achieve.

(2) A county that can practically and economically achieve a higher rate of recycling is encouraged to submit a recycling plan for a higher percentage.

1 (d) If a county with a population less than 150,000 increases to a population of
2 above 150,000, the county shall have 2 years to revise the recycling plan to be consistent
3 with the recycling goals under subsection (a)(18) of this section.

4 (e) (1) The governing bodies of 2 or more counties may adopt a regional
5 recycling plan to comply with subsection (a)(18) or (19) of this section.

6 (2) A regional recycling plan which otherwise satisfies the requirements of
7 this subtitle for each of the participating counties shall constitute the county recycling plan
8 for each county which participates in the plan.

9 **(F) (1) IN THIS SUBSECTION, "LARGEST MUNICIPAL CORPORATION"**
10 **MEANS THE MUNICIPAL CORPORATION WITH THE LARGEST POPULATION**
11 **ACCORDING TO THE MOST RECENT DEPARTMENT OF PLANNING PROJECTIONS.**

12 **(2) SUBJECT TO PARAGRAPHS (3) AND (4) OF THIS SUBSECTION AND**
13 **ON OR BEFORE JANUARY 1, 2026, AND EVERY 5 YEARS THEREAFTER, THE LARGEST**
14 **MUNICIPAL CORPORATION IN EACH COUNTY SHALL ADOPT OR UPDATE AS**
15 **NECESSARY A RECYCLING PLAN THAT:**

16 **(i) 1. PROVIDES FOR A REDUCTION THROUGH RECYCLING**
17 **OF:**

18 **A. AT LEAST 35% OF THE MUNICIPAL CORPORATION'S**
19 **SOLID WASTE STREAM BY WEIGHT IF THE MUNICIPAL CORPORATION IS IN A COUNTY**
20 **WITH A POPULATION GREATER THAN 150,000; OR**

21 **B. AT LEAST 20% OF THE MUNICIPAL CORPORATION'S**
22 **SOLID WASTE STREAM BY WEIGHT IF THE MUNICIPAL CORPORATION IS IN A COUNTY**
23 **WITH A POPULATION LESS THAN 150,000; OR**

24 **2. SUBMITS ADEQUATE JUSTIFICATION, INCLUDING**
25 **ECONOMIC AND OTHER SPECIFIC FACTORS, AS TO WHY THE REDUCTIONS UNDER**
26 **ITEM 1 OF THIS ITEM CANNOT BE MET; AND**

27 **(ii) REQUIRES FULL IMPLEMENTATION OF THE RECYCLING**
28 **PLAN WITHIN 18 MONTHS AFTER THE DATE ON WHICH THE RECYCLING PLAN IS**
29 **ADOPTED.**

30 **(3) IF THE GOVERNING BODIES OF 2 OR MORE COUNTIES ADOPT A**
31 **REGIONAL RECYCLING PLAN IN ACCORDANCE WITH SUBSECTION (E) OF THIS**
32 **SECTION, THE LARGEST MUNICIPAL CORPORATION IN THE REGION SHALL ADOPT A**
33 **RECYCLING PLAN THAT:**

(I) PROVIDES FOR A REDUCTION THROUGH RECYCLING OF:

1. AT LEAST 35% OF THE MUNICIPAL CORPORATION'S SOLID WASTE STREAM BY WEIGHT IF THE MUNICIPAL CORPORATION IS IN A REGION WITH A POPULATION GREATER THAN 150,000; OR

2. AT LEAST 20% OF THE MUNICIPAL CORPORATION'S SOLID WASTE STREAM BY WEIGHT IF THE MUNICIPAL CORPORATION IS IN A REGION WITH A POPULATION LESS THAN 150,000; AND

(II) OTHERWISE COMPLIES WITH THE REQUIREMENTS OF PARAGRAPH (2) OF THIS SUBSECTION.

(4) IF A MUNICIPAL CORPORATION IS NO LONGER THE LARGEST MUNICIPAL CORPORATION AFTER THE MOST RECENT DEPARTMENT OF PLANNING PROJECTIONS, THE MUNICIPAL CORPORATION IS NO LONGER SUBJECT TO THE REQUIREMENTS OF THIS SUBSECTION.

Article – State Finance and Procurement

5–306.

(a) (1) [The] SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, THE Department shall prepare population projections for the State and for each county and municipal corporation in the State.

(2) PROJECTIONS PREPARED UNDER THIS SECTION SHALL IDENTIFY:

(I) IF APPLICABLE, THE LARGEST MUNICIPAL CORPORATION BY POPULATION IN EACH COUNTY; AND

(II) IF THE GOVERNING BODIES OF TWO OR MORE COUNTIES ADOPT A REGIONAL RECYCLING PLAN IN ACCORDANCE WITH § 9–505(E) OF THE ENVIRONMENT ARTICLE, THE LARGEST MUNICIPAL CORPORATION BY POPULATION IN EACH REGION.

(b) The population projections shall include details of age, sex, and race.

(c) The Department shall prepare the population projections for periods of 20 years, in 5–year intervals beginning with 1990.

(d) Beginning in 1991, the Department shall revise the population projections at least every 3 years.

1 (e) In preparing the population projections for the Washington metropolitan area,
2 the Department may use the population figures developed by the Maryland–National
3 Capital Park and Planning Commission.

4 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
5 October 1, 2025.