

SENATE BILL 603

M3

6lr2767

By: Senator M. Washington

Introduced and read first time: February 5, 2026

Assigned to: Education, Energy, and the Environment

A BILL ENTITLED

1 AN ACT concerning

2 **Mattress Stewardship Program – Establishment**

3 FOR the purpose of prohibiting, on and after a certain date, a person from disposing of a
4 mattress in a landfill, subject to a certain exception; prohibiting, on or after a certain
5 date, a person from disposing of a mattress in an incinerator, subject to a certain
6 exception; requiring certain producers of mattresses sold at retail in the State or a
7 certain representative organization to submit a plan for the establishment of a
8 Mattress Stewardship Program to the Department of the Environment for approval
9 on or before a certain date and in accordance with certain requirements; requiring a
10 certain plan to establish a certain assessment on mattresses sold in the State that is
11 necessary to cover certain costs; requiring retailers to provide certain information to
12 consumers following the implementation of a Mattress Stewardship Program;
13 requiring the Office of Recycling within the Department to review and approve
14 certain plans and annual reports, including a certain assessment; requiring certain
15 producers and retailers or distributors to add a certain assessment to the cost of all
16 mattresses sold in the State beginning on a certain date; requiring a certain producer
17 or representative organization to implement a certain program within a certain
18 amount of time after the Department approves a certain plan; prohibiting a producer
19 or retailer from selling or offering for sale certain mattresses under certain
20 circumstances after a certain amount of time after the Department approves a
21 certain plan; establishing the Mattress Stewardship Advisory Board; authorizing the
22 Department to cooperate with other entities in other states in order to further the
23 objectives of this Act; requiring the Department to adopt certain measures to move
24 the State toward a more equitable recycling and waste management system and to
25 seek environmental justice for underserved communities; providing that certain
26 agreements for the recycling of mattresses may not be renewed except under certain
27 circumstances; requiring the Department to request certain legislation under certain
28 circumstances on or before a certain date; and generally relating to the disposal of
29 mattresses and the Mattress Stewardship Program.

30 BY repealing and reenacting, without amendments,

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



Article – Environment
Section 9-1701(a), (i), and (m) and 9-1702(a)
Annotated Code of Maryland
(2014 Replacement Volume and 2025 Supplement)

BY adding to
Article – Environment
Section 9–1701(j–1), (j–2), (j–3), (o–2), (r–2), (r–6), and (s–1) and 9–1715; and 9–1737
through 9–1742 to be under the new part “Part VI. Mattress Stewardship
Program”

Annotated Code of Maryland (2014 Replacement Volume and 2025 Supplement)

12 BY repealing and reenacting, with amendments,

Article – Environment

Section 9-1701(o-2), (o-3), (r-2), (r-3), and (r-4), 9-1702(d) and (e), and 9-1707(f)
Annotated Code of Maryland

(2014 Replacement Volume and

Précis

18 WHEREAS, in the United States, it is estimated that approximately 20 million
19 mattress units are disposed of annually and that fewer than 5% are recycled; and

20 WHEREAS, Mattresses deplete limited landfill space, create flammable air pockets,
21 damage equipment used at landfills, contribute to air pollution when incinerated or
22 disposed of in a landfill, contain nonbiodegradable synthetic foam and fibers and hazardous
23 flame-retardant chemicals that can leach into the drinking water, and contribute to
24 roadside litter when dumped illegally; and

25 WHEREAS, Mattresses pose practical challenges inherent to disposal because
26 mattresses are bulky and not easily compacted, making transport and disposal inefficient;
27 and

28 WHEREAS, Programs to address the disposal of mattresses that are good for the
29 environment and good for the economy have been implemented successfully in other
30 jurisdictions, including programs implemented through nonprofit organizations with
31 expertise in social enterprises; and

32 WHEREAS, Since 2013, California, Connecticut, Oregon, and Rhode Island have
33 implemented successful mattress stewardship programs that have recycled 15 million
34 mattresses and diverted more than 563 million pounds of steel, foam, cotton, and wood from
35 disposal, saving more than 7.5 billion gallons of water; and

36 WHEREAS, There are existing mattress recyclers in the State of Maryland who
37 manage mattress collection and recycling programs on behalf of local government,
38 educational institutions, nonprofit organizations, and individuals; and

1 WHEREAS, Under Executive Order 01.01.2017.13, Maryland has committed to
2 sustainable materials management practices, which use and manage materials as
3 efficiently and sustainably as possible; and

4 WHEREAS, According to Executive Order 01.01.2017.13, through source reduction,
5 reuse, and recycling, Maryland can extend existing disposal capacity, reduce the need to
6 construct new or expanded solid waste disposal facilities, conserve natural resources, and
7 support a productive economy through recovery of valuable resources; and

8 WHEREAS, According to Executive Order 01.01.2017.13, studies have shown that
9 diverting materials from disposal to reuse, recycling, and composting results in more jobs
10 and a more sustainable economy; and

11 WHEREAS, Executive Order 01.01.2017.13 establishes as the policy of the State that
12 solid waste and recycling should seek, among other things, to minimize the environmental
13 impacts of materials management over the materials' entire life cycles; and

14 WHEREAS, Implementing policies for mattresses is consistent with existing State
15 policy; and

WHEREAS, Providing examples of mattress recycling to Maryland communities enables the consideration of environmental, economic, and social benefits in addressing the disposal, collection, deconstruction, and recycling of mattresses; now, therefore,

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

Article – Environment

22 9-1701.

23 (a) In this subtitle the following words have the meanings indicated.

24 (i) "Director" means the Director of the Office of Recycling.

25 (J-1) (1) "MATTRESS" MEANS A RESILIENT MATERIAL OR COMBINATION OF
26 MATERIALS THAT IS ENCLOSED BY A TICKING, IS USED ALONE OR IN COMBINATION
27 WITH OTHER PRODUCTS, AND IS INTENDED FOR OR PROMOTED FOR SLEEPING ON

28 (2) "MATTRESS" INCLUDES A FOUNDATION

29 (3) "MATTBESS" DOES NOT INCLUDE:

(I) AN UNATTACHED MATTRESS PAD OR TOPPER THAT IS
DESIGNED TO BE USED ON TOP OF OR IN ADDITION TO A MATTRESS;

4 (III) A CARRIAGE, A BASKET, A DRESSING TABLE, A STROLLER, A
5 PLAYPEN, AN INFANT CARRIER, A LOUNGE PAD, A CRIB BUMPER, A CRIB MATTRESS,
6 A BASSINET MATTRESS, OR ANY OTHER PRODUCT MANUFACTURED FOR YOUNG
7 CHILDREN;

8 (IV) A SLEEPING BAG;

9 (v) A PILLOW;

(VI) A FUTON, SLEEPER SOFA, OR FOLD-OUT SOFA BED;

11 (VII) A FOUNDATION;

12 (VIII) A CAR BED; OR

13 (IX) FURNITURE THAT OTHERWISE DOES NOT CONTAIN A
14 DETACHABLE MATTRESS.

15 **(J-2) "MATTRESS STEWARDSHIP ASSESSMENT"** MEANS THE AMOUNT ADDED
16 TO THE PURCHASE PRICE OF MATTRESSES SOLD IN THE STATE THAT IS NECESSARY
17 TO COVER THE MATTRESS STEWARDSHIP PROGRAM'S COST, INCLUDING
18 COLLECTING, TRANSPORTING, MANAGING, AND PROCESSING POSTCONSUMER
19 MATTRESSES STATEWIDE, AND ADMINISTRATION, EDUCATION, AND OUTREACH.

20 (J-3) "MATTRESS WASTE MANAGEMENT ENTITY" MEANS A WASTE
21 MANAGEMENT COMPANY AUTHORIZED OR CONTRACTED BY THE MATTRESS
22 STEWARDSHIP PROGRAM TO COLLECT, DISAGGREGATE, REDUCE, AND RECYCLE
23 MATTRESSES.

24 (m) "Office" means the Office of Recycling within the Department.

25 (O-2) (1) "POSTCONSUMER MATTRESS" MEANS A MATTRESS NO LONGER
26 WANTED BY A PURCHASER.

30 **[(o-2)] (O-3)** “Postconsumer paint” means architectural paint not used and no
31 longer wanted by a purchaser.

1 [(o-3)] (O-4) "Producer" means, EXCEPT AS PROVIDED IN PART VI OF THIS
2 SUBTITLE, a manufacturer of architectural paint that sells, offers for sale, or distributes
3 the paint in the State under the producer's own name or brand.

4 (R-2) (1) "RENOVATE" MEANS TO ALTER A DISCARDED MATTRESS FOR
5 RESALE THROUGH REPLACING THE TICKING OR FILLING, ADDING ADDITIONAL
6 FILLING, OR REPLACING COMPONENTS OF THE DISCARDED MATTRESS WITH NEW OR
7 RECYCLED MATERIALS.

8 (2) "RENOVATE" DOES NOT INCLUDE:

9 (I) STRIPPING A DISCARDED MATTRESS OF THE TICKING OR
10 FILLING WITHOUT ADDING NEW MATERIAL; OR

11 (II) THE SANITIZATION OR STERILIZATION OF A DISCARDED
12 MATTRESS WITHOUT OTHER ALTERATION TO THE DISCARDED MATTRESS.

13 [(r-2)] (R-3) "Representative organization" means, EXCEPT AS PROVIDED IN
14 PART VI OF THIS SUBTITLE, a nonprofit organization created by producers to implement
15 a Paint Stewardship Program.

16 [(r-3)] (R-4) "Retailer" means, EXCEPT AS PROVIDED IN PART VI OF THIS
17 SUBTITLE, any person that offers architectural paint for sale at retail in the State.

18 [(r-4)] (R-5) "Sale" or "sell" means any transfer of title for consideration,
19 including remote sales conducted through sales outlets, catalogues, the Internet, or any
20 other similar electronic means.

21 (R-6) "SANITIZATION" MEANS THE DIRECT APPLICATION OF CHEMICALS TO A
22 MATTRESS TO KILL PATHOGENS THAT CAUSE HUMAN DISEASE.

23 (S-1) "STERILIZATION" MEANS THE MITIGATION OF ANY DELETERIOUS
24 SUBSTANCES OR ORGANISMS, INCLUDING PATHOGENS THAT CAUSE HUMAN
25 DISEASE, FUNGI, AND INSECTS, FROM A MATTRESS OR FILLING MATERIAL USING A
26 CHEMICAL OR HEAT PROCESS.

27 9-1702.

28 (a) There is an Office of Recycling created within the Department.

29 (d) The Office shall:

(1) Assist the counties in developing an acceptable recycling plan required under § 9–1703 of this subtitle and § 9–505 of this title, including technical assistance to the local governments;

1. UNEMPLOYED INDIVIDUALS:

2. HOMELESS INDIVIDUALS;

3. DISADVANTAGED YOUTH:

4. INDIVIDUALS WITH DISABILITIES:

5. INDIVIDUALS WHO WERE INCARCERATED

23 STATE, OR FEDERAL CORRECTIONAL FACILITY; AND

6. OTHER DISADVANTAGED INDIVIDUALS;

25 [(4)] (5) Administer the Statewide Electronics Recycling Program under
26 Part IV of this subtitle;

27 [(5)] (6) Promote the development of markets for recycled materials and
28 recycled products in the State in accordance with § 9–1702.1 of this subtitle;

29 [(6)] (7) Review and approve plans and annual reports, including the
30 paint stewardship assessment, submitted in accordance with a Paint Stewardship Program
31 established under Part V of this subtitle; and

1 **[7] (8)** Review and approve, in consultation with the producer
2 responsibility advisory council established under § 9-2503 of this title, producer
3 responsibility plans and annual reports submitted in accordance with Subtitle 25 of this
4 title.

5 (e) On or before December 31, **[2024] 2030**, and every 2 years thereafter, the
6 Office shall, in coordination with the Maryland Environmental Service, study and report to
7 the Governor and, subject to § 2-1257 of the State Government Article, the General
8 Assembly on:

9 (1) The identification and location of recycling centers, including an
10 analysis of existing recycling centers and the need to expand these facilities or construct
11 new recycling centers;

12 (2) Programs necessary to educate the public on the need to participate in
13 recycling efforts;

14 (3) The economics and financing of existing and proposed systems of waste
15 disposal and recycling;

16 (4) State procurement policies for the purchase of recycled materials;

17 (5) Programs necessary to reduce the amount of solid waste generated for
18 disposal by a State agency or unit;

19 (6) The liaison role with local governments, the federal government, and
20 the private sector;

21 (7) The percentage reduction in the amount of solid waste that has been
22 achieved by each county; **[and]**

23 (8) Economically feasible methods for the recycling of scrap automobile
24 tires, batteries, and white goods; **AND**

25 **(9) THE PROGRESS MADE IN THE STATE IN DIVERTING MATTRESSES
26 FROM DISPOSAL IN LANDFILLS AND INCINERATORS.**

27 9-1707.

28 (f) (1) There is a State Recycling Trust Fund.

29 (2) The Fund shall consist of:

30 (i) The newsprint recycling incentive fee;

(ii) The telephone directory recycling incentive fee collected under § 9–1709 of this subtitle;

(iii) The covered electronic device manufacturer registration fee collected under § 9-1728 of this subtitle;

5 (iv) The Paint Stewardship Program plan and annual report review
6 fees collected under § 9–1733(b) and (h) of this subtitle;

7 (v) THE MATTRESS STEWARDSHIP PROGRAM PLAN AND
8 ANNUAL REPORT REVIEW FEES COLLECTED UNDER § 9-1739(C)(2) AND (H)(2) OF
9 THIS SUBTITLE;

(VI) Any fees collected from producer responsibility organizations under § 9–1702.2 of this subtitle or Subtitle 25 of this title;

15 [viii] (IX) Any other money from any other source accepted for the
16 benefit of the Fund.

17 (3) The Secretary shall administer the Fund.

18 (4) The Treasurer shall hold the Fund separately and the Comptroller shall
19 account for the Fund.

20 (5) At the end of each fiscal year, any unspent or unencumbered balance in
21 the Fund that exceeds \$2,000,000 shall revert to the General Fund of the State in
22 accordance with § 7-302 of the State Finance and Procurement Article.

23 (6) In accordance with the State budget, the Fund shall be used only:

24 (i) To provide grants to the counties to be used by the counties to
25 develop and implement local recycling plans;

26 (ii) To provide grants to counties that have addressed methods for
27 the separate collection and recycling of covered electronic devices in accordance with §
28 9–1703(c)(1) of this subtitle;

29 (iii) To provide grants to municipalities to be used by the
30 municipalities to implement local covered electronic device recycling programs;

1 (iv) To cover the costs of the Paint Stewardship Program plan review
2 under § 9–1733(b) of this subtitle, the annual report review under § 9–1733(h) of this
3 subtitle, and associated costs for Program compliance oversight; [and]

4 (v) TO COVER THE ACTUAL COSTS OF THE MATTRESS
5 STEWARDSHIP PROGRAM PLAN REVIEW AND ANNUAL REPORT REVIEW UNDER §
6 9-1739 OF THIS SUBTITLE AND ASSOCIATED COSTS FOR PROGRAM COMPLIANCE
7 OVERSIGHT;

16 (7) (i) There is a separate account within the Fund.

17 (ii) The separate account shall consist of:

25 (8) (i) The Treasurer shall invest the money in the Fund in the same
26 manner as other State money may be invested.

27 (ii) Any investment earnings of the Fund shall be credited to the
28 General Fund of the State.

29 9-1715.

30 (A) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION,
31 ON OR AFTER JANUARY 1, 2035, A PERSON MAY NOT DISPOSE OF A MATTRESS IN A
32 LANDFILL.

12 9-1735. RESERVED.

13 9-1736. RESERVED.

PART VI. MATTRESS STEWARDSHIP PROGRAM.

15 9-1737.

16 (A) IN THIS PART THE FOLLOWING WORDS HAVE THE MEANINGS
17 INDICATED.

18 (B) "ADVISORY BOARD" MEANS THE MATTRESS STEWARDSHIP ADVISORY
19 BOARD.

20 (C) "PREMIUM COLLECTION SERVICE" MEANS A MATTRESS COLLECTION
21 SERVICE THAT PROVIDES A GREATER SERVICE CONVENIENCE, FREQUENCY, OR
22 COMPONENT.

23 (D) (1) "PRODUCER" MEANS:

(II) AN INDIVIDUAL WHO IMPORTS MATTRESSES INTO THE STATE TO SELL, OFFER FOR SALE, OR DISTRIBUTE IN THE STATE.

(E) "PROGRAM" MEANS THE MATTRESS STEWARDSHIP PROGRAM.

(F) "REPRESENTATIVE ORGANIZATION" MEANS A NONPROFIT ORGANIZATION CREATED BY PRODUCERS TO IMPLEMENT AND OPERATE A STRESS STEWARDSHIP PROGRAM.

(G) "RETAILER" MEANS ANY PERSON THAT OFFERS MATTRESSES FOR SALE
TAIL IN THE STATE.

7 9-1738.

8 IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT A PRODUCER OR
9 REPRESENTATIVE ORGANIZATION THAT ORGANIZES THE COLLECTION, TRANSPORT,
10 AND PROCESSING OF MATTRESSES IN ACCORDANCE WITH AN APPROVED MATTRESS
11 STEWARDSHIP PROGRAM SHALL BE IMMUNE FROM LIABILITY FOR ANY CLAIM
12 UNDER STATE OR FEDERAL LAW RELATING TO ANTITRUST AND RESTRAINT OF
13 TRADE, OR ANY UNFAIR, ABUSIVE, OR DECEPTIVE TRADE PRACTICE, ARISING FROM
14 CONDUCT UNDERTAKEN IN ACCORDANCE WITH THE PROGRAM.

15 9-1739.

16 (A) ON OR BEFORE JULY 1, 2031, PRODUCERS OF MATTRESSES SOLD AT
17 RETAIL IN THE STATE, OR A REPRESENTATIVE ORGANIZATION ACTING ON A
18 PRODUCER'S BEHALF, SHALL SUBMIT A PLAN FOR THE ESTABLISHMENT OF A
19 MATTRESS STEWARDSHIP PROGRAM TO THE DEPARTMENT FOR APPROVAL.

20 (B) (1) THE PLAN REQUIRED UNDER SUBSECTION (A) OF THIS SECTION
21 SHALL:

22 (I) IDENTIFY THE MATERIALS, ENTITIES, AND RESPONSIBLE
23 PARTIES COVERED UNDER THE PLAN:

24 (II) DESCRIBE THE ORGANIZATIONAL STRUCTURE OF ANY
25 REPRESENTATIVE ORGANIZATION:

26 (III) DESCRIBE THE FINANCING METHOD FOR THE PLAN,
27 INCLUDING:

1. HOW FEES WILL BE STRUCTURED AND COLLECTED:

2. CONSIDERATION OF WHETHER TO SET A FEE, OUT THE STATE, THAT IS:

B. TIERED BASED ON MATTRESS TYPE; AND

9 (v) DESCRIBE HOW DISCARDED MATTRESSES NOT COVERED
10 UNDER THE PROGRAM WILL BE HANDLED;

11 (vi) DESCRIBE HOW PRODUCERS WILL:

6. WOMEN-OWNED BUSINESSES;
7. VETERAN-OWNED BUSINESSES; AND
8. BUSINESSES THAT PRIORITIZE THE TRAINING AND

- A. INDIVIDUALS REENTERING SOCIETY AFTER
- B. INDIVIDUALS EXPERIENCING HOMELESSNESS AND
- C. INDIVIDUALS IN ADDICTION RECOVERY;
- D. INDIVIDUALS WITH DISABILITIES; AND
- E. INDIVIDUALS WHO ARE OTHERWISE OR HISTORICALLY MARGINALIZED OR DISADVANTAGED;

(VIII) PROVIDE AN ESTIMATED ANNUAL OPERATING BUDGET;

(IX) PROVIDE A PLAN FOR MARKET DEVELOPMENT;

15 (x) PROVIDE THE TIME FRAME FOR ACHIEVING ZERO-WASTE
16 GOALS AND PROGRAM SUSTAINABILITY WITHOUT THE NEED FOR FEES BY:

2. INCREASING EFFICIENCIES OF END-OF-LIFE PRODUCT MANAGEMENT; AND

23 (xi) PROVIDE A PLAN IN CASE OF CLOSURE OF THE PROGRAM.

27 (I) PROMOTING MATTRESS RECYCLING;

5 (III) PROVIDING FOR THE FINANCIAL REIMBURSEMENT TO
6 COLLECTION SITES FOR THE INCREASED COSTS OF COLLECTION.

15 (II) PROVIDES A CONVENIENT METHOD FOR THE PUBLIC TO
16 ACCESS A LIST OF COLLECTION OR DROP-OFF OPTIONS;

17 (III) IDENTIFIES EACH PRODUCER PARTICIPATING IN THE
18 MATTRESS STEWARDSHIP PROGRAM AND THE BRANDS OF MATTRESSES SOLD IN
19 THE STATE THAT ARE COVERED BY THE PROGRAM;

20 (IV) PROVIDES GEOGRAPHIC MODELING TO DETERMINE THE
21 NUMBER AND DISTRIBUTION OF SITES FOR ALL COLLECTION OF POSTCONSUMER
22 MATTRESSES BASED ON THE FOLLOWING CRITERIA:

29 (v) PROVIDES INFORMATION ON HOW MATTRESSES
30 CONTAMINATED BY BIOLOGICAL FLUIDS, TOXINS, OR INFECTIOUS AGENTS WILL BE
31 DISPOSED OF, INCLUDING WHETHER THE DISPOSAL WILL BE HANDLED IN OR OUT
32 OF THE STATE:

33 (vi) ALLOWS FOR SCHEDULING AND PICK-UP OF MATTRESSES
34 FROM PRIVATE PROPERTY; AND

1 (VII) ALLOWS FOR A MATTRESS WASTE MANAGEMENT ENTITY TO:

2 1. OFFER A PREMIUM COLLECTION SERVICE UNDER THE
3 PROGRAM;

4 2. CHARGE FOR THE ADDITIONAL COST OF THAT
5 PREMIUM COLLECTION SERVICE; AND

6 3. CARRY OUT A STATEWIDE ASSESSMENT OF NEEDS
7 AND COSTS.

8 (4) THE PLAN MAY IDENTIFY A RETAILER AS A POSTCONSUMER
9 MATTRESS COLLECTION SITE IF:

10 (I) THE RETAILER VOLUNTEERS TO ACT AS A POSTCONSUMER
11 MATTRESS COLLECTION SITE;

12 (II) THE RETAILER IS IN COMPLIANCE WITH ALL APPLICABLE
13 LAWS AND REGULATIONS; AND

14 (III) THE SITE LOCATION OF THE RETAILER IS CONSISTENT WITH
15 MAINTAINING A COST-EFFECTIVE NETWORK OF POSTCONSUMER MATTRESS
16 COLLECTION LOCATIONS.

17 (5) (I) THE PLAN SHALL ESTABLISH:

18 1. A UNIFORM MATTRESS STEWARDSHIP ASSESSMENT
19 FOR ALL MATTRESSES SOLD IN THE STATE; AND

20 2. A MECHANISM FOR RETAILERS PARTICIPATING IN A
21 MATTRESS STEWARDSHIP PROGRAM TO REMIT, AT THE POINT OF SALE, TO THE
22 REPRESENTATIVE ORGANIZATION PAYMENT OF THE MATTRESS STEWARDSHIP
23 ASSESSMENT FOR EACH MATTRESS SOLD IN THE STATE.

24 (II) THE UNIFORM MATTRESS STEWARDSHIP ASSESSMENT
25 REQUIRED UNDER SUBPARAGRAPH (I)1 OF THIS PARAGRAPH MAY BE TIERED BASED
26 ON MATTRESS WEIGHT, CONSTRUCTION, SIZE, TYPE, RECYCLABILITY, RETAIL
27 PRICE, OR ANY OTHER FACTOR THE PRODUCER OR REPRESENTATIVE
28 ORGANIZATION DETERMINES WILL DISTRIBUTE THE ASSESSMENT MORE FAIRLY.

29 (6) THE PLAN SHALL ESTABLISH PERFORMANCE GOALS FOR:

30 (I) THE COLLECTION RATES OF DISCARDED MATTRESSES;

(II) THE RECYCLING RATES OF DISCARDED MATTRESSES;

2 (III) IN COORDINATION WITH THE RENOVATORS AND TO THE
3 EXTENT PRACTICABLE, THE RENOVATION RATES OF DISCARDED MATTRESSES;

4 (IV) IN COORDINATION WITH LOCAL JURISDICTIONS AND TO
5 THE EXTENT PRACTICABLE, THE NUMBER OF ILLEGALLY DUMPED MATTRESSES AND
6 THE SHARE OF DUMPED MATTRESSES AS A PERCENTAGE OF ALL MATTRESSES IN
7 THE PROGRAM; AND

8 (v) PUBLIC AWARENESS OF THE MATTRESS STEWARDSHIP
9 PROGRAM.

20 (II) THE COST OF ANY WORK PERFORMED BY AN INDEPENDENT
21 FINANCIAL AUDITOR SHALL BE FUNDED BY THE MATTRESS STEWARDSHIP
22 PROGRAM.

1. TARGETS ARE NOT BEING MET:

1 2. THERE IS AN APPEAL TO THE MATTRESS
2 STEWARDSHIP ADVISORY BOARD ESTABLISHED UNDER § 9-1742 OF THIS SUBTITLE
3 OR TO THE DEPARTMENT UNDER TITLE 10, SUBTITLE 2 OF THE STATE
4 GOVERNMENT ARTICLE BY AN ENTITY THAT RECEIVES REIMBURSEMENT UNDER
5 THE PLAN THAT WARRANTS A REVISION; OR

6 3. THERE IS A CHANGE IN CIRCUMSTANCES THAT
7 WARRANTS A REVISION.

8 (C) (1) THE DEPARTMENT SHALL REVIEW:

9 (I) THE MATTRESS STEWARDSHIP PROGRAM PLAN REQUIRED
10 UNDER SUBSECTION (A) OF THIS SECTION; AND

11 (II) THE WORK PRODUCT OF THE INDEPENDENT FINANCIAL
12 AUDITOR DESIGNATED BY THE DEPARTMENT TO EVALUATE MATTRESS
13 STEWARDSHIP ASSESSMENTS.

14 (2) THE PRODUCER OR REPRESENTATIVE ORGANIZATION THAT
15 SUBMITS A PLAN FOR APPROVAL SHALL PAY A PLAN REVIEW FEE TO THE
16 DEPARTMENT TO BE DEPOSITED INTO THE STATE RECYCLING TRUST FUND UNDER
17 § 9-1707 OF THIS SUBTITLE THAT COVERS THE DEPARTMENT'S COST OF PLAN
18 REVIEW, INCLUDING ASSOCIATED COSTS FOR MATTRESS STEWARDSHIP PROGRAM
19 COMPLIANCE OVERSIGHT, AS DETERMINED BY THE DEPARTMENT.

20 (3) (I) IF THE DEPARTMENT DETERMINES THAT THE MATTRESS
21 STEWARDSHIP PROGRAM PLAN, INCLUDING THE MATTRESS STEWARDSHIP
22 ASSESSMENT, COMPLIES WITH THE REQUIREMENTS OF SUBSECTION (B) OF THIS
23 SECTION, THE DEPARTMENT SHALL APPROVE THE PROGRAM WITHIN 90 DAYS OF
24 SUBMISSION.

25 (II) IF THE DEPARTMENT DETERMINES THAT THE MATTRESS
26 STEWARDSHIP PROGRAM PLAN, INCLUDING THE MATTRESS STEWARDSHIP
27 ASSESSMENT, REQUIRES MODIFICATION, THE PRODUCER OR REPRESENTATIVE
28 ORGANIZATION SHALL HAVE 30 DAYS TO MODIFY THE PLAN.

29 (4) THE DEPARTMENT SHALL LIST ON ITS WEBSITE THE PRODUCERS,
30 BRANDS, RENOVATORS, AND RETAILERS IMPLEMENTING OR PARTICIPATING IN AN
31 APPROVED MATTRESS STEWARDSHIP PROGRAM.

32 (D) (1) A PRODUCER OR REPRESENTATIVE ORGANIZATION SHALL
33 IMPLEMENT ITS MATTRESS STEWARDSHIP PROGRAM PLAN WITHIN 1 YEAR AFTER
34 THE PLAN'S APPROVAL BY THE DEPARTMENT.

3 (I) A PRODUCER OR RETAILER MAY NOT SELL OR OFFER FOR
4 SALE A BRAND OF MATTRESS TO ANY PERSON IN THE STATE, UNLESS THE
5 PRODUCER OF THE BRAND OR A REPRESENTATIVE ORGANIZATION OF WHICH THE
6 PRODUCER IS A MEMBER IS IMPLEMENTING AN APPROVED MATTRESS
7 STEWARDSHIP PROGRAM;

15 (E) (1) A PRODUCER OR REPRESENTATIVE ORGANIZATION
16 PARTICIPATING IN AN APPROVED MATTRESS STEWARDSHIP PROGRAM SHALL
17 PROVIDE CONSUMERS WITH EDUCATIONAL MATERIALS REGARDING THE PROGRAM
18 THAT INCLUDE:

19 (I) INFORMATION REGARDING AVAILABLE END-OF-LIFE
20 MANAGEMENT OPTIONS FOR MATTRESSES OFFERED THROUGH THE PROGRAM; AND

21 (II) INFORMATION THAT NOTIFIES CONSUMERS THAT AN
22 ASSESSMENT TO COVER THE COSTS OF IMPLEMENTING THE PROGRAM IS INCLUDED
23 IN THE PURCHASE PRICE OF ALL MATTRESSES SOLD IN THE STATE.

29 (F) FOLLOWING THE IMPLEMENTATION OF THE MATTRESS STEWARDSHIP
30 PROGRAM, A RETAILER COMPLIES WITH THE REQUIREMENTS OF THIS SECTION IF,
31 ON THE DATE THE MATTRESS WAS ORDERED FROM THE PRODUCER OR ITS AGENT,
32 THE PRODUCER OF THE MATTRESS BRAND IS LISTED ON THE DEPARTMENT'S
33 WEBSITE AS IMPLEMENTING OR PARTICIPATING IN AN APPROVED MATTRESS
34 STEWARDSHIP PROGRAM.

5 (H) (1) BEGINNING MARCH 1, 2033, OR 1 YEAR AFTER PLAN APPROVAL,
6 WHICHEVER IS LATER, AND ANNUALLY THEREAFTER, THE PRODUCER OR
7 REPRESENTATIVE ORGANIZATION SHALL SUBMIT TO THE DEPARTMENT AND
8 PUBLISH ONLINE A REPORT THAT DETAILS THE MATTRESS STEWARDSHIP
9 PROGRAM, INCLUDING:

10 (I) A DESCRIPTION OF THE METHODS USED TO COLLECT,
11 TRANSPORT, AND PROCESS MATTRESSES IN THE STATE;

24 (v) SAMPLES OF EDUCATIONAL MATERIALS USED TO INFORM
25 CONSUMERS OF MATTRESS RECYCLING OR DISPOSAL, A SUMMARY OF PUBLIC
26 EDUCATION EFFORTS, AND AN EVALUATION OF THE EFFECTIVENESS OF THESE
27 METHODS:

28 (VI) AN EVALUATION OF WHY MATTRESSES THAT WERE NOT
29 RECYCLED WERE NOT RECYCLED;

30 (VII) THE TOTAL NUMBER OF MATTRESSES SOLD TO CONSUMERS
31 IN THE PREVIOUS YEAR:

1 (IX) REPORTS ON RESEARCH ACTIVITIES, PILOT PROGRAMS,
2 AND ANY CHANGES IN MATTRESS DESIGN;

3 (X) THE NUMBER OF POSTCONSUMER MATTRESSES RECEIVED
4 THROUGH COLLECTION THAT WERE NOT INCLUDED IN THE PROGRAM;

5 (xi) IN COORDINATION WITH LOCAL JURISDICTIONS AND TO
6 THE EXTENT PRACTICABLE, THE NUMBER OF POSTCONSUMER MATTRESSES THAT
7 WERE ILLEGALLY DUMPED AS REPORTED TO THE DEPARTMENT;

8 (XII) AN ANALYSIS OF HOW THE DATA REQUIRED BY THIS
9 PARAGRAPH HAS CHANGED OVER TIME;

10 (XIII) AN EVALUATION OF THE EFFECTIVENESS OF METHODS AND
11 PROCESSES USED TO ACHIEVE THE GOALS OF THE PROGRAM, INCLUDING
12 INFORMATION ON PROGRESS MADE TOWARD ACHIEVING THE GOALS, AN
13 EXPLANATION OF WHY ANY GOALS WERE NOT MET DURING THE PREVIOUS
14 CALENDAR YEAR, AND ANY EFFORTS THAT WILL BE TAKEN TO IMPROVE PROGRESS
15 TOWARD MEETING THE GOALS IN THE FUTURE, IF APPLICABLE;

16 (XIV) RECOMMENDATIONS FOR ANY CHANGES TO THE PROGRAM,
17 INCLUDING INFORMATION RELEVANT TO COMPLIANCE WITH THE PLAN; AND

18 (XV) ANY OTHER INFORMATION REQUIRED BY THE
19 DEPARTMENT.

26 (I) (1) THE DEPARTMENT SHALL REVIEW THE ANNUAL REPORT
27 REQUIRED UNDER SUBSECTION (H) OF THIS SECTION AND:

28 (I) EVALUATE THE TOTAL COSTS OF THE MATTRESS
29 STEWARDSHIP PROGRAM, INCLUDING ALL EXPENSES AND REVENUES, TO
30 DETERMINE WHETHER THE MATTRESS STEWARDSHIP ASSESSMENT MEETS OR
31 EXCEEDS THE COSTS OF THE PROGRAM IN ACCORDANCE WITH SUBSECTION (B)(8)
32 OF THIS SECTION; AND

10 (4) IF THE DEPARTMENT DETERMINES THAT THE MATTRESS
11 STEWARDSHIP ANNUAL REPORT, INCLUDING THE MATTRESS STEWARDSHIP
12 ASSESSMENT, DOES NOT COMPLY WITH THE REQUIREMENTS OF THIS SECTION, THE
13 PRODUCER OR REPRESENTATIVE ORGANIZATION SHALL SUBMIT TO THE
14 DEPARTMENT A PLAN ON HOW THE PRODUCER OR REPRESENTATIVE
15 ORGANIZATION WILL ADDRESS THE NONCOMPLIANCE IN THE UPCOMING YEAR.

16 (J) (1) FINANCIAL, PRODUCTION, OR SALES DATA REPORTED TO THE
17 DEPARTMENT BY A PRODUCER OR THE REPRESENTATIVE ORGANIZATION SHALL BE
18 KEPT CONFIDENTIAL BY THE DEPARTMENT AND MAY NOT BE SUBJECT TO PUBLIC
19 INSPECTION.

23 9-1740.

24 (A) A RETAILER THAT VIOLATES THIS PART IS SUBJECT TO A CIVIL PENALTY
25 NOT TO EXCEED \$100 PER DAY FOR EACH DAY OF THE VIOLATION.

26 (B) A PRODUCER OR RENOVATOR THAT VIOLATES THIS PART IS SUBJECT TO
27 A CIVIL PENALTY NOT TO EXCEED \$1,000 PER DAY FOR EACH DAY OF THE
28 VIOLATION.

29 (C) ANY PENALTY COLLECTED UNDER THIS SECTION SHALL BE PLACED IN
30 A SPECIAL FUND TO BE USED BY THE DEPARTMENT TO ENSURE THE
31 IMPLEMENTATION OF APPROVED MATTRESS STEWARDSHIP PROGRAMS.

32 9-1741

1 **(A) THE DEPARTMENT MAY COOPERATE WITH DEPARTMENTS, AGENCIES,**
2 **AND OTHER EQUIVALENT BODIES IN OTHER STATES IN ORDER TO FURTHER THE**
3 **OBJECTIVES OF THIS PART.**

4 **(B) (1) THE DEPARTMENT SHALL ADOPT MEASURES TO MOVE THE STATE**
5 **TOWARD A MORE EQUITABLE RECYCLING AND WASTE MANAGEMENT SYSTEM AND TO**
6 **SEEK ENVIRONMENTAL JUSTICE FOR UNDERSERVED COMMUNITIES.**

7 **(2) MEASURES ADOPTED UNDER THIS SUBSECTION MAY INCLUDE:**

8 **(I) CONDUCTING STUDIES ON HOW TO IMPROVE ACCESS TO**
9 **RECYCLING FOR UNDERSERVED COMMUNITIES;**

10 **(II) CONDUCTING STUDIES ON HOW TO IMPROVE SOCIAL**
11 **EQUITY WITHIN THE RECYCLING SYSTEM, INCLUDING ENSURING EQUITABLE**
12 **EMPLOYMENT AND DEVELOPMENT OPPORTUNITIES;**

13 **(III) PROVIDING A PLATFORM FOR RECOMMENDATIONS FROM**
14 **ENVIRONMENTAL JUSTICE AND COMMUNITY-BASED ORGANIZATIONS ON HOW TO**
15 **IMPROVE THE PROGRAM;**

16 **(IV) REQUIRING REPRESENTATIVE ORGANIZATIONS TO**
17 **GUARANTEE PRODUCTS ARE TRANSFERRED TO RESPONSIBLE END MARKETS THAT**
18 **MEET ENVIRONMENTAL AND PUBLIC SAFETY STANDARDS;**

19 **(V) REQUIRING ALL CONTRACTS MADE BY A REPRESENTATIVE**
20 **ORGANIZATION TO INCLUDE LANGUAGE GUARANTEEING A LIVABLE WAGE AND**
21 **QUALITY BENEFITS TO WORKERS; AND**

22 **(VI) REQUIRING REPRESENTATIVE ORGANIZATIONS TO**
23 **TRANSLATE ALL EDUCATIONAL MATERIALS INTO THE LANGUAGES SPOKEN BY**
24 **LOCAL POPULATIONS AND TO ENSURE THAT COLLECTION INFRASTRUCTURE IS**
25 **ACCESSIBLE TO DISABLED RESIDENTS.**

26 **(C) THE DEPARTMENT SHALL ADOPT REGULATIONS TO ENFORCE THIS**
27 **PART THAT INCLUDE A CLARIFICATION OF THE AUTHORITY AND RESPONSIBILITY TO**
28 **INSPECT AND ENFORCE THE PROGRAM BETWEEN LOCAL AND STATE**
29 **GOVERNMENTS.**

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

1 9-1742.

2 (A) THERE IS A MATTRESS STEWARDSHIP ADVISORY BOARD.

3 (B) THE PURPOSE OF THE ADVISORY BOARD IS TO ADVISE ON THE PROPER
4 IMPLEMENTATION AND SUSTAINABILITY OF THE MATTRESS STEWARDSHIP
5 PROGRAM.

6 (C) THE ADVISORY BOARD CONSISTS OF THE FOLLOWING MEMBERS:

7 (1) ONE MEMBER OF THE SENATE OF MARYLAND, APPOINTED BY THE
8 PRESIDENT OF THE SENATE;

9 (2) ONE MEMBER OF THE HOUSE OF DELEGATES, APPOINTED BY THE
10 SPEAKER OF THE HOUSE;

11 (3) THE SECRETARY, OR THE SECRETARY'S DESIGNEE;

12 (4) THE SECRETARY OF HEALTH, OR THE SECRETARY'S DESIGNEE;

13 (5) THE SECRETARY OF COMMERCE, OR THE SECRETARY'S
14 DESIGNEE;

15 (6) THE COMPTROLLER, OR THE COMPTROLLER'S DESIGNEE; AND

16 (7) THE FOLLOWING INDIVIDUALS, APPOINTED BY THE GOVERNOR:

17 (I) ONE REPRESENTATIVE OF MATTRESS RETAILERS;

18 (II) ONE REPRESENTATIVE OF THE MATTRESS
19 MANUFACTURING INDUSTRY;

20 (III) ONE REPRESENTATIVE OF MATTRESS RECYCLERS;

21 (IV) ONE REPRESENTATIVE OF THE MARYLAND CHAPTER OF
22 THE SIERRA CLUB;

23 (V) ONE REPRESENTATIVE OF AN ENVIRONMENTAL ADVOCACY
24 GROUP;

25 (VI) ONE REPRESENTATIVE OF AN ADVOCACY GROUP FOR THE
26 REHABILITATION OF FORMERLY INCARCERATED INDIVIDUALS;

27 (VII) ONE REPRESENTATIVE OF INDEPENDENT HAULERS OF
28 BULK WASTE;

3 (IX) ONE REPRESENTATIVE OF THE MARYLAND MUNICIPAL
4 LEAGUE; AND

5 (x) ONE CONSUMER REPRESENTATIVE EACH FROM WESTERN
6 MARYLAND, CENTRAL MARYLAND, SOUTHERN MARYLAND, AND THE EASTERN
7 SHORE.

8 (D) IN APPOINTING INDIVIDUALS TO THE ADVISORY BOARD, THE
9 GOVERNOR SHALL CONSIDER APPOINTING INDIVIDUALS FROM UNDERSERVED,
10 OVERBURDENED, LOW-INCOME, AND HISTORICALLY MARGINALIZED COMMUNITIES.

11 (E) (1) THE ADVISORY BOARD SHALL:

12 (I) REVIEW AND EVALUATE THE STRUCTURE, FINANCING, AND
13 OTHER ASPECTS OF THE MATTRESS STEWARDSHIP PROGRAM;

20 (IV) 1. RECEIVE AND REVIEW THE MATTRESS STEWARDSHIP
21 PLANS SUBMITTED IN ACCORDANCE WITH § 9-1739 OF THIS SUBTITLE; AND

24 (v) 1. RECEIVE AND REVIEW ANNUAL REPORTS SUBMITTED
25 IN ACCORDANCE WITH § 9-1739 OF THIS SUBTITLE; AND

29 (VI) REVIEW AND COMMENT ON DRAFT REGULATIONS
30 RELEVANT TO THE IMPLEMENTATION OF THE MATTRESS STEWARDSHIP PROGRAM.

10 (5) THE DEPARTMENT SHALL PROVIDE STAFF FOR THE ADVISORY
11 BOARD.

16 SECTION 3. AND BE IT FURTHER ENACTED. That:

17 (a) On or after July 1, 2030, a contract or agreement for the recycling of
18 mattresses in existence prior to the effective date of this Act may not be renewed unless the
19 contract or agreement conforms to or is modified to conform to the requirements of a
20 Mattress Stewardship Program plan as enacted by this Act.

21 (b) On or before December 1, 2030, the Department of the Environment shall, if
22 necessary, request legislation to further implement this Act.

23 SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take effect July
24 1, 2029. Section 2 of this Act shall remain effective for a period of 5 years and, at the end of
25 June 30, 2034, Section 2 of this Act, with no further action required by the General
26 Assembly, shall be abrogated and of no further force and effect.