



THE MARYLAND HOUSE OF DELEGATES  
ANNAPOLIS, MARYLAND 21401

**HB248**

Condominiums and Homeowners Associations - Rights and Restrictions - Composting

Statement in SUPPORT

Chair Smith, Vice-Chair Waldstreicher, and Members of the Judicial Proceedings Committee, thank you for the opportunity to testify in support of HB248, which will prohibit a common ownership community from restricting residents from engaging in composting practices. This bill idea came from a constituent who lives in a common ownership community. He was prohibited by his Homeowners Association (HOA) from placing a small composting bucket - the size of a paint bucket - onto his balcony. This bill passed the Environment and Transportation Committee favorably with an amendment to include the term “unreasonably”. With this refinement, HB248 states that condominiums and HOAs cannot “prohibit or unreasonably restrict” a unit owner from composting practices. This amendment received consensus from all stakeholders. HB248 passed the House of Delegates unanimously as amended.

Composting is the practice of diverting certain organic yard waste and food residuals that can be safely decomposed either in an individual’s yard or in a composting facility. Food waste is the largest component of waste in municipal landfills.<sup>1</sup> Per the U.N. Food and Agriculture Organization, 30 percent of food is wasted globally across the supply chain, contributing 8 percent of total global greenhouse gas emissions. Per a 2018 Washington Post article, “if food waste were a country, it would come in third after the United States and China in terms of impact on global warming.”<sup>2</sup> A recent study showed that if composting were implemented worldwide, it could reduce emissions by 2.3 billion tons over the next 30 years. By incentivizing composting and removing barriers to doing so, we can significantly reduce methane gas production, which is at least 28 times more potent than carbon dioxide.<sup>3</sup> This compost can then be used as a fertilizer on cropland, which improves soil health.

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<sup>1</sup> Schultz, J. (2017). Fighting food waste. Retrieved from <https://www.ncsl.org/research/agriculture-and-rural-development/fighting-food-waste.aspx>

<sup>2</sup> Frischmann, C. (2018). The climate impact of the food in the back of your fridge. Retrieved from <https://www.washingtonpost.com/news/theworldpost/wp/2018/07/31/food-waste/>

<sup>3</sup> Food composting. Retrieved from <https://www.drawdown.org/solutions/food/composting/>

HB248 would prohibit a common ownership community from restricting residents from engaging in composting practices -- whether by following best practices in backyard composting, or, like the constituent referenced above, by privately hiring a commercial compost pick up company to pick up weekly residential compost. Companies Compost Crew in Prince George's County are conveniently located in my district. This bill opens opportunities for individuals to engage in new practices that are friendly towards the environment. What this bill does not do is require individuals or HOAs to compost. Neither does it provide any state or local funding for composting. HB248 takes inspiration from the existing law passed 12 years ago in 2008 which restricts, with limited exception, common ownership communities from prohibiting residents from installing solar panels. Since that law passed, the adoption of solar panels on homes across the state has significantly increased. Maryland now has a solar capacity of 1,293.9 MW as of 2020, ranking us 17th nationally for solar installation.<sup>4</sup> Adding composting to the 2008 law will further assist Maryland in reaching our climate change policy goals.

Other states and localities have begun to examine ways to incentivize this practice as well. Kentucky offers 50% of installation costs for composting/recycling equipment,<sup>5</sup> and a number of other states offer incentives for businesses and farms that use sustainable practices surrounding food waste.<sup>6</sup> Middlebury College in Vermont implemented a composting program in 2011 and saved \$100,000, \$270 per ton of waste.<sup>7</sup>

Local jurisdictions save significantly by incentivizing composting. Per Montgomery County's DEP director, it costs \$47/ton to Montgomery County to dispose of garbage in a landfill vs \$35/ton for recycling vs break even OR \$5-10 generated for composting. Anything the state can do to incentivize composting and remove barriers to engaging in composting will help Maryland reach our climate change goals while saving our local governments money.

Respectfully, I request a favorable report on HB248.

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<sup>4</sup> Solar Energies Association, 2020, "Maryland Solar" <https://www.seia.org/state-solar-policy/maryland-solar>

<sup>5</sup> Recycling or composting equipment tax credit. Retrieved from <https://revenue.ky.gov/Business/Pages/Recycling-Composting-Tax-Credit.aspx>

<sup>6</sup> Frandsen, J. (2017). More than a third of food is wasted: Will tax breaks, new labels and 'ugly' produce help? Retrieved from <https://www.usatoday.com/story/money/2017/07/02/food-waste-could-tax-breaks-new-labels-and-ugly-produce-fix-it/444032001/>

<sup>7</sup> Roknich, E. (2018). Scraps to savings: Composting in communities. Retrieved from <http://efc.web.unc.edu/2018/01/31/scraps-to-savings-composting-in-communities/>