



**The Maryland Department of the Environment**  
**Secretary Serena McIlwain**

***Senate Bill 325***  
***Maryland Paint Stewardship***

**Position:** Support  
**Committee:** Education, Energy, and the Environment  
**Date:** February 6, 2024  
**From:** Jeremy D. Baker

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The Maryland Department of the Environment (MDE) **SUPPORTS** SB 325. The bill would establish a new Paint Stewardship Program (Program) to address the collection and end-of-life management of postconsumer architectural paint.

**Bill Summary**

The bill requires producers of architectural paint, or a representative organization, to plan and implement the Program. On or before July 1, 2025, producers, or a representative organization, are required to submit to MDE for approval, a plan for carrying out the Program. The plan must, among other things, minimize public sector participation and financial responsibility in the management of postconsumer paint. It must also provide for the convenient and available statewide collection of postconsumer paint. By January 1, 2026, or 6 months after plan approval, whichever is later, producers must implement an approved plan and would be prohibited from selling or offering for sale a brand of architectural paint in Maryland unless they are implementing an approved Program. Beginning April 1, 2026, and annually thereafter, a producer, or the representative organization, is required to submit to MDE for approval a report on the implementation of the Program.

The Program must be funded through a paint stewardship assessment set by producers and approved by MDE, which will be added to the sale price of architectural paint and remitted by a producer to the representative organization. The paint stewardship assessment may not exceed the costs of implementing the Program. A producer, or the representative organization, is required to pay fees to MDE to cover MDE's costs for reviewing a proposed plan, annual reports, and costs associated with Program compliance oversight, as determined by MDE. Fee revenue would be deposited into the State Recycling Trust Fund.

**Position Rationale**

MDE supports this bill because it will implement a tried and tested model for end-of-life paint management. Architectural paint can be easily recycled and should not be landfilled. This program will give Maryland residents confidence that their old paint will be managed appropriately while also providing efficient take-back infrastructure.

For the reasons detailed above, MDE urges a **FAVORABLE** report for SB 325.

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