

**Committee: Environment and Transportation****Testimony on: HB 947 – Local Government – Charges for Paper Carryout Bags - Limitation****Position: Opposed****Hearing Date: March 5, 2025**

The Maryland Chapter of the Sierra Club urges an unfavorable report on HB 947, which would require all counties and municipalities that enact a local law authorizing or requiring retailers to charge for a paper carryout bag provided to a customer to cap the charge at 10 cents.

The world is facing a plastic pollution crisis, and single-use plastic carryout bags are a major culprit. Five Maryland counties and eight municipalities representing 70% of the population of the state have adopted ordinances to discourage or prohibit the provision of single-use plastic carryout bags and, in all but one case,<sup>1</sup> by also taxing or requiring retailers to charge for paper bags (Exhibit 1). The charge for paper bags creates an incentive for shoppers to bring their own bag or not take a bag, instead of simply switching to single-use paper bags. Nine of the jurisdictions currently set a 10-cent floor on the charge for paper carryout bags, one sets a 5-cent floor, and in three jurisdictions the incentive is a tax.

These ordinances have been highly effective in increasing reusable bag use and “no bag” use, and minimizing the use of paper bags, which are also single-use waste and create adverse environmental impacts. In Anne Arundel and Prince George’s Counties, for example, single-use plastic carryout bags have nearly disappeared and the share of shoppers using a reusable bag or not taking a carryout bag has risen from less than 20% to roughly 70% as a result of their ordinances.<sup>2</sup>

Imposing a cap on the charge for paper bags would reduce the effectiveness of these ordinances over time, as the value of the charge on paper bags declines. Retailers would not be able to capture the costs of the bags they provide and the difference will be paid for in their overhead, affecting the prices faced by all shoppers. It would prevent the jurisdictions with a bag tax from raising the tax in statute beyond 10 cents, and would immediately compel retailers like Aldi, Lidl, and MOM’s Organic Market, which currently charge more than 10 cents for paper carryout bags, to charge customers less than the bags cost them.

These ordinances fall within the express powers of municipalities and charter counties granted by the Local Government Article (LG § 5-202(5)) and the Express Powers Act (LG §§ 10-102 and 10-206), respectfully. They were debated locally and adopted to protect the health, comfort, and welfare of residents. There is no pending statewide legislation regulating single-use carryout bags, and we see no compelling justification for the state to impose a cap that could compromise the effectiveness of these local ordinances. For these reasons, the Maryland Chapter of the Sierra Club urges an unfavorable report on HB 947.

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<sup>1</sup> Howard County imposes a 5-cent tax on thin plastic carryout bags but no tax or charge for paper bags.

<sup>2</sup> Maryland Sierra Club baseline shopper surveys in 2019 and 2021, and follow-up shopper surveys in 2024.

Founded in 1892, the Sierra Club is America’s oldest and largest grassroots environmental organization. The Maryland Chapter has over 70,000 members and supporters, and the Sierra Club nationwide has over 800,000 members and nearly four million supporters.

Exhibit 1.  
**Plastic carryout bag laws in Maryland**  
**with a charge or tax for plastic or paper carryout bags**

<b>Jurisdiction</b>	<b>Year in effect</b>	<b>Type of bill</b>	<b>Amount of charge, tax</b>
Montgomery County	2012	Tax on paper and plastic bags	5¢
Howard County	2020	Tax on plastic bags	5¢
Baltimore City	2021	Hybrid/tax on paper & thicker plastic bags	5¢
Easton	2023	Hybrid/ charge	Min 10¢ paper bag
Salisbury	2023	Hybrid/charge	Min 10¢ paper bag
College Park	2023	Hybrid/charge	Min 10¢ paper bag
Baltimore County	2023	Hybrid/ charge	Min 5¢ paper bag
Greenbelt	2024	Hybrid/charge	Min 10¢ paper bag
Anne Arundel County	2024	Hybrid/charge	Min 10¢ paper bag
Prince George's County	2024	Hybrid/charge	Min 10¢ paper bag
Laurel	2024	Hybrid/charge	Min 10¢ paper bag
Centreville	2024	Hybrid/charge	Min 10¢ paper bag
Annapolis	2025	Hybrid/charge	Min 10¢ paper bag
Montgomery County	2026	Hybrid/tax	10¢

*Notes:*

Hybrid: A policy that combines a ban on plastic carryout bags with a mandatory charge or tax on paper bags. Also known as a “Bring Your Own Bag” bill.

Tax: All or part of the plastic or paper carryout bag tax revenue is retained by local government.

Charge: All of the paper bag revenue from the charge is retained by the retailer