

PRINCE GEORGE'S CO. DELEGATION

L2, M3
SB 721/11 – EHE & FIN

2lr0484

Bill No.: _____
Requested: _____
Committee: _____

Drafted by: Carter
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Stored – 10/20/11
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Checked by _____

By: **Prince George's County Delegation**

(Requested by: Senator Paul Pinsky and Delegate Barbara Frush)

A BILL ENTITLED

1 AN ACT concerning

2 **Prince George's County – Authority to Impose Fees for Use of Disposable**
3 **Bags**

4 **PG 402-12**

5 FOR the purpose of authorizing Prince George's County to impose, by law, a fee on
6 certain retail establishments for use of disposable bags under certain
7 circumstances; defining certain terms; and generally relating to the authority
8 for Prince George's County to impose a fee for use of disposable bags.

9 BY adding to
10 The Public Local Laws of Prince George's County
11 Section 10-283 to be under the new division "Division 16. Fees for Use of
12 Disposable Bags"
13 Article 17 – Public Local Laws of Maryland
14 (2007 Edition and 2008/2009 Supplement, as amended)

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

17 **Article 17 – Prince George's County**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



DIVISION 16. FEES FOR USE OF DISPOSABLE BAGS.

10-283.

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) (A) "DISPOSABLE BAG" MEANS A PAPER OR PLASTIC BAG PROVIDED BY A STORE TO A CUSTOMER AT THE POINT OF SALE.

(B) "DISPOSABLE BAG" DOES NOT INCLUDE:

(I) A DURABLE PLASTIC BAG WITH HANDLES THAT IS AT LEAST 2.25 MILS THICK AND IS DESIGNED AND MANUFACTURED FOR MULTIPLE REUSE;

(II) A BAG USED TO:

(AA) PACKAGE BULK ITEMS, INCLUDING FRUIT, VEGETABLES, NUTS, GRAINS, CANDY, OR SMALL HARDWARE ITEMS;

(BB) CONTAIN OR WRAP FROZEN FOODS, MEAT, OR FISH, WHETHER PREPACKAGED OR NOT;

(CC) CONTAIN OR WRAP FLOWERS, POTTED PLANTS, OR OTHER DAMP ITEMS;

(DD) CONTAIN UNWRAPPED PREPARED FOODS OR BAKERY GOODS; AND

(EE) CONTAIN A NEWSPAPER OR DRY CLEANING;

(III) A BAG PROVIDED BY A PHARMACIST TO CONTAIN PRESCRIPTION DRUGS;

(IV) PLASTIC BAGS SOLD IN PACKAGES CONTAINING MULTIPLE PLASTIC BAGS INTENDED FOR USE AS GARBAGE, PET WASTE, OR YARD WASTE BAGS; AND

1 **(V) A BAG THAT A RESTAURANT PROVIDES TO A**
2 **CUSTOMER TO TAKE FOOD OR DRINK AWAY FROM THE RESTAURANT.**

3 **(3) “STORE” MEANS A RETAIL ESTABLISHMENT THAT PROVIDES**
4 **DISPOSABLE BAGS TO ITS CUSTOMERS AS A RESULT OF THE SALE OF A**
5 **PRODUCT.**

6 **(B) THE COUNTY MAY IMPOSE, BY LAW, A FEE ON A STORE FOR THE USE**
7 **OF DISPOSABLE BAGS AS A PART OF A RETAIL SALE OF PRODUCTS.**

8 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
9 October 1, 2012.