

Bill No.: \_\_\_\_\_  
Requested: \_\_\_\_\_  
Committee: \_\_\_\_\_

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By: **Delegate Hill**

A BILL ENTITLED

1 AN ACT concerning

2 **Howard County – Disposable Bag Fees – Exemption**

3 **Ho. Co. 12–22**

4 FOR the purpose of prohibiting a disposable bag fee imposed by Howard County from being  
5 applied to the sale of products purchased with certain federal nutrition benefits; and  
6 generally relating to disposable bag fees in Howard County.

7 BY repealing and reenacting, with amendments,  
8 Article – Local Government  
9 Section 13–1001  
10 Annotated Code of Maryland  
11 (2013 Volume and 2021 Supplement)

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

14 **Article – Local Government**

15 13–1001.

16 (a) This section applies only in Howard County.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.  
[Brackets] indicate matter deleted from existing law.



1 (b) (1) In this section the following words have the meanings indicated.

2 (2) (i) “Disposable bag” means a plastic bag provided by a store to a  
3 customer at the point of sale.

4 (ii) “Disposable bag” does not include:

5 1. a durable plastic bag with handles that is at least 2.25 mils  
6 thick and is designed and manufactured for multiple reuse;

7 2. a bag used to:

8 A. package bulk items, including fruit, vegetables, nuts,  
9 grains, candy, or small hardware items;

10 B. contain or wrap frozen foods, meat, or fish, whether  
11 prepackaged or not;

12 C. contain or wrap flowers, potted plants, or other damp  
13 items;

14 D. contain unwrapped prepared foods or bakery goods; or

15 E. contain a newspaper or dry cleaning;

16 3. a bag provided by a pharmacist to contain prescription  
17 drugs; or

18 4. plastic bags sold in packages containing multiple plastic  
19 bags intended for use as garbage, pet waste, or yard waste bags.

20 (3) **“SNAP” MEANS THE FEDERAL SUPPLEMENTAL NUTRITION**  
21 **ASSISTANCE PROGRAM.**

22 (4) “Store” means a retail establishment that provides disposable bags to  
23 customers as a result of the sale of a product.

1                   **(5) “WIC” MEANS THE FEDERAL SPECIAL SUPPLEMENTAL FOOD**  
2 **PROGRAM FOR WOMEN, INFANTS, AND CHILDREN.**

3           (c)   (1)   The county may impose, by law, a fee on a store for the use of disposable  
4 bags as a part of a retail sale of products.

5                   (2)   The fee imposed under paragraph (1) of this subsection:

6                           **(I)**   may not exceed 5 cents for each disposable bag used; **AND**

7                                   **(II) MAY NOT BE APPLIED TO ANY SALE OF PRODUCTS**  
8 **PURCHASED WITH SNAP OR WIC BENEFITS.**

9           (d)   The county may only use the revenue from a fee imposed under subsection (c)  
10 of this section for:

11                   (1)   an environmental purpose, including the establishment of a program to  
12 provide reusable bags to individuals in the county; or

13                   (2)   the implementation, administration, and enforcement of the fee.

14           **SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect**  
15 **October 1, 2022.**