

# **Maryland Bag Bill Update**

## **COG Climate, Energy, and Environment Policy Committee**

**March 17, 2011**

The District of Columbia implemented the first bag fee legislation in the United States on January 1, 2010. The program charges consumers five cents for each paper or plastic carryout bag used at most establishments that sell food products. According to retailer reports, disposable carryout bag use has dropped 50% during the past year.

Attempts in Virginia during the 2011 General Assembly session to pass similar or more stringent legislation failed to leave committee. In Maryland, the state General Assembly and the Montgomery County Council are currently considering bills patterned after the DC law.

### Montgomery County Bag Bill

The council is considering a five-cent bag fee, which would take effect on January 1, 2012. Proceeds would be deposited in the Water Quality Protection Charge fund to support watershed restoration projects. The bill sponsors project \$1.5 million in revenue the first year. The bill is similar to DC's law with the following exceptions:

- No requirements for retailers' carryout bags to have specific dimensions, thickness, recycled content, labeling requirements, or label size requirements.
- The entire retail sector is covered, not just establishments selling food.

A public hearing is tentatively scheduled for March 31 at 7:30 p.m.

### Maryland State Assembly Bills - Clean the Streams and Beautify the Bay Act of 2011

The General Assembly is considering companion bills SB 602 and HB 1034, which would take effect on January 1, 2012. These bills mirror the DC bill requirements with the following exceptions:

- The entire retail sector is covered, not just establishments selling food.
- Proceeds remaining after the administration of the program will go to the Chesapeake Bay Trust to be distributed as grants to non-profit organizations and other groups that promote waterway restoration.

The respective committees held hearing on both bills the week of 3/6/11 with few reported objections. The bills may go to the floor for a vote.

### COG Board Action

The COG Board of Directors passed Resolution R57-09 on 10/14/09 supporting measures to reduce the occurrence of plastic bags in the region's rivers and streams. The resolution further encouraged the signatories of the Potomac River Trash Treaty to "assess the feasibility of implementing measures, both regulatory and incentive-based initiatives, to address this problem."