COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND
Legislative Session 2025, Legislative Day No. 8

Bill No. 31-25

Mr. Julian E. Jones, Jr., Councilman

By the County Council, April 21, 2025

A BILL
ENTITLED

AN ACT concerning

One-Time Use Plastic Carryout Bag Reduction – Environmental Education and Enhancement Fund

FOR the purpose of establishing an Environmental Education and Enhancement Fund; defining certain terms; establishing the purpose of the Fund; establishing the requirements for disbursing monies from the Fund as a grant; providing for the administration and financing of the Fund; requiring an annual report; and generally relating to the Environmental Education and Enhancement Fund.

By adding

Sections 10-21-101 through 10-21-105
Article 10 – Finance
Title 21 – Environmental Education and Enhancement Fund
Baltimore County Code, 2015

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter stricken from existing law.
~~Strike out~~ indicates matter stricken from bill.
Underlining indicates amendments to bill.

BY repealing and re-enacting, with amendments

Section 21-14-102
Article 21 – Permits, Licenses, and Business Regulation
Title 14 – One-Time Use Plastic Carryout Bag Reduction
Baltimore County Code, 2015

SECTION 1. BE IT ENACTED BY THE COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND, that the Laws of Baltimore County read as follows:

ARTICLE 10 – FINANCE

TITLE 21 – ENVIRONMENTAL EDUCATION AND ENHANCEMENT FUND

§ 10-21-101. FUND ESTABLISHED; DEFINITIONS.

(A) THERE IS AN ENVIRONMENTAL EDUCATION AND ENHANCEMENT FUND.

(B) (1) IN THIS TITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) "FUND" MEANS THE ENVIRONMENTAL EDUCATION AND ENHANCEMENT FUND.

§ 10-21-102. PURPOSE.

THE PURPOSE OF THE FUND IS TO:

(1) MAKE GRANTS TO ENTITIES ENGAGED IN:

(I) WATER QUALITY AND WATER POLLUTION EDUCATION;

(II) STREAM CLEAN UPS AND RESTORATION;

(III) STORMWATER MANAGEMENT FACILITY CLEAN UPS AND RESTORATION;

(IV) LITTER PICK-UP ACTIVITIES AND ANTI-LITTER EDUCATION;

(V) ACTIVITIES TO EDUCATE THE PUBLIC ABOUT THE BENEFITS AND METHODS OF REDUCING THE USE OF DISPOSABLE PLASTICS; OR

(VI) ANY OTHER ACTIVITIES DETERMINED BY THE COUNTY TO BE RELATED TO ENVIRONMENTAL EDUCATION AND ENHANCEMENT; AND

(2) SUPPLEMENT THE IMPLEMENTATION, ADMINISTRATION, AND ENFORCEMENT OF ARTICLE 21, TITLE 14 OF THE CODE.

§ 10-21-103. GRANTS.

(A) THE FUND MAY PROVIDE ASSISTANCE IN THE FORM OF DIRECT EXPENDITURES FROM THE FUND BY THE COUNTY OR GRANTS ISSUED TO INDIVIDUALS, NONPROFIT ORGANIZATIONS, OR COMMUNITY ORGANIZATIONS RECOGNIZED BY THE COUNTY.

(B) AN APPLICANT FOR A GRANT SHALL APPLY ON A FORM REQUIRED BY THE DIRECTORS OF BUDGET AND FINANCE AND ENVIRONMENTAL PROTECTION AND SUSTAINABILITY.

§ 10-21-104. FINANCING; ADMINISTRATION.

(A) THE FUND MAY BE FINANCED FROM:

(1) FEES AND FINES COLLECTED UNDER THE ARTICLE 21, TITLE 14 OF THE CODE.

(2) CONTRIBUTIONS, DONATIONS, GIFTS, OR GRANTS BY THE FEDERAL OR STATE GOVERNMENT, OR ANY PRIVATE ENTITY;

(3) ANY OTHER FUNDS DESIGNATED AND PROVIDED BY THE COUNTY.

(B) MONIES PROVIDED TO THE FUND UNDER SUBSECTION (A) OF THIS SECTION SHALL BE TREATED AS A GRANT TO THE FUND.

(C) THE FUND SHALL CONTINUE FROM YEAR TO YEAR.

(D) THE FUND SHALL BE CHARGED FOR THE EXPENSES OF ADMINISTERING THE PROVISIONS OF THIS TITLE AND OF ARTICLE 21, TITLE 14 OF THE CODE.

(E) THE DIRECTORS OF BUDGET AND FINANCE AND ENVIRONMENTAL PROTECTION AND SUSTAINABILITY SHALL JOINTLY AUTHORIZE ANY PAYMENTS BY OR CHARGES AGAINST THE FUND.

(F) THE DIRECTOR OF THE OFFICE OF BUDGET AND FINANCE SHALL ADMINISTER THE FUND ACCORDING TO ACCEPTED PRINCIPLES OF SOUND ACCOUNTING AND FISCAL MANAGEMENT.

§ 10-21-105. ANNUAL REPORT.

THE DIRECTORS OF BUDGET AND FINANCE AND ENVIRONMENTAL PROTECTION AND SUSTAINABILITY SHALL JOINTLY BY DECEMBER 31 PROVIDE THE COUNTY EXECUTIVE AND COUNTY COUNCIL WITH AN ANNUAL REPORT

THAT OUTLINES THE ACTIVITIES OF THE FUND FOR THE CURRENT YEAR, INCLUDING EXPENDITURES MADE BY THE COUNTY AND GRANTS THAT HAVE BEEN ISSUED UNDER THIS TITLE.

ARTICLE 21 – PERMITS, LICENSES, AND BUSINESS REGULATION

Title 14 – One-Time Use Plastic Carryout Bag Reduction

§ 21-14-102. Plastic carryout bags prohibited; paper and reusable carryout bag charge.

(a) On or after November 1, 2023, a retail establishment may not provide a plastic carryout bag to a customer.

(b) (1) (I) On or after November 1, 2023, a retail establishment shall charge, collect, and retain at least 5 cents for each paper carryout bag and reusable carryout bag that it provides to a customer.

(II) A retail establishment shall not charge a customer under this paragraph who brings their own reusable carryout bag.

(2) (I) SUBJECT TO PARAGRAPH (5) OF THIS SUBSECTION, A RETAIL ESTABLISHMENT SHALL REMIT THE FEES COLLECTED UNDER PARAGRAPH (1) OF THIS SUBSECTION TO THE DIRECTOR OF BUDGET AND FINANCE ON OR BEFORE THE RETAIL ESTABLISHMENT'S LAST BUSINESS DAY OF EACH CALENDAR QUARTER.

(II) THE RETAIL ESTABLISHMENT MUST INCLUDE WITH THE REMITTANCE THE INFORMATION THAT THE DIRECTOR OF BUDGET AND FINANCE REQUIRES.

(3) TO COVER THE ADMINISTRATIVE EXPENSE OF COLLECTING AND REMITTING THE FEE, THE RETAIL ESTABLISHMENT MAY RETAIN UP TO 60% OF EACH FEE COLLECTED.

(4) (I) IF A RETAIL ESTABLISHMENT FAILS TO COMPLY WITH PARAGRAPH (2) OF THIS SUBSECTION WITHIN 14 DAYS, THE DIRECTOR OF BUDGET AND FINANCE MAY ESTIMATE THE REMITTANCE DUE AND SEND A BILL TO THE RETAIL ESTABLISHMENT AT THE RETAIL ESTABLISHMENT'S LAST KNOWN ADDRESS.

(II) THE RETAIL ESTABLISHMENT SHALL PAY THE BILL WITHIN 10 DAYS AFTER THE BILL IS SENT.

(5) A RETAIL ESTABLISHMENT NEED NOT REMIT THE FEES COLLECTED UNTIL THE AMOUNT COLLECTED IS AT LEAST $50 QUARTERLY.

(6) A RETAIL ESTABLISHMENT SHALL HOLD THE FEES COLLECTED IN TRUST UNTIL THE STORE REMITS THE COLLECTED FEES TO THE COUNTY.

(C) (1) EACH RETAIL ESTABLISHMENT SHALL KEEP FOR 3 YEARS THE RECORDS REQUIRED TO VERIFY THE AMOUNTS CALCULATED UNDER THIS SECTION.

(2) (i) A retail establishment may not advertise, hold out, or state to the public or to a customer, directly or indirectly, that any part of the money collected under paragraph (1) of this subsection will be refunded to the customer.

(ii) Nothing in subparagraph (2)(i) of this subsection shall prohibit a retail establishment from offering or advertising a promotion or program that provides an incentive to customers to bring their own reusable carryout bag, or reduces the cost for purchasing a reusable

carryout bag, provided that no purchase is necessary to redeem the offer or promotion and no reduction in cost is below the amount required in paragraph (1) of this subsection.

(3) A retail establishment shall indicate on the customer transaction receipt the number of paper or reusable carryout bags provided by the establishment and the amount charged.

(4) A retail establishment may post a sign at each point of sale such that it is visible to customers and employees during a transaction that states the charge for each paper carryout bag and reusable carryout bag it provides to a customer.

[(c)] (D) This section does not apply to:

(1) A small retail establishment; and

(2) A liquor store.

SECTION 2. AND BE IT FURTHER ENACTED, that this Act, having been passed by the affirmative vote of five members of the County Council, shall take effect 14 days after its enactment.

LEGISLATION DETAIL

LEGISLATION	BILL 31-25
DISPOSITION	FAILED
ENACTED	N/A
EFFECTIVE	N/A
AMENDMENTS	NO

ROLL CALL - BILL

MOTION JONES SECOND MARKS

AYE	NAY	
☐	☑	Councilman Young
☐	☑	Councilman Patoka
☐	☑	Councilman Kach
☑	☐	Councilman Jones
☐	☑	Councilman Marks
☐	☑	Councilman Ertel
☐	☑	Councilman Crandell

ROLL CALL - AMENDMENTS

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