

Department of Legislative Services
Maryland General Assembly
2020 Session

FISCAL AND POLICY NOTE
Third Reader

House Bill 384 (Charles County Delegation)
Environment and Transportation

Judicial Proceedings

Charles County - Illegal Disposal of Bulky Items - Penalties

This bill authorizes the governing body of Charles County to adopt an ordinance to prohibit the disposal of a “bulky item” on a highway or on public or private property and makes corresponding changes, as discussed below. Currently, only Prince George’s County has the authority to adopt such an ordinance.

Fiscal Summary

State Effect: The bill does not materially affect State operations or finances.

Local Effect: Potential minimal increase in revenues and potential minimal increase in expenditures in Charles County due to the bill’s penalty provisions. To the extent the bill reduces illegal dumping in the county or violators reimburse the county for litter removal costs, local expenditures related to litter removal may decrease. The bill’s provisions can be enforced with existing resources.

Small Business Effect: None.

Analysis

Current Law: With specified exceptions, a “bulky item” is any discarded furniture, home or industrial appliance, or abandoned vehicle not designated for disposal purposes under the laws of Prince George’s County.

The governing body of Prince George’s County may adopt an ordinance to prohibit the disposal of a “bulky item” on a highway or on public or private property, unless the property is designated by the State, a unit of the State, or a political subdivision of the State

for the disposal of bulky items and the person is authorized by the proper public authority to use the property. Civil and criminal penalties under Prince George's County's adopted ordinance may not exceed a misdemeanor, punishable by imprisonment for up to 30 days and/or a \$5,000 maximum fine.

Local Fiscal Effect: To the extent the adopted county ordinance increases enforcement, Charles County revenues increase minimally from fines imposed under the bill. Charles County expenditures may increase minimally if individuals are incarcerated as a result of the bill. Local expenditures for litter removal in Charles County may decrease if the county is reimbursed for litter removal costs from individuals convicted of illegal disposal of a bulky item.

Chapter 160 of 2019 authorized Prince George's County to adopt a "bulky item" ordinance. With respect to that legislation, the county advised that the State's littering law and the county's existing littering ordinance were not being enforced due to the requirement that the litter be weighed or measured for volume. Prince George's County further advised that the intention of the legislation was to increase enforcement by authorizing the county to adopt a bulky item ordinance that is not subject to weight/volume requirements.

Additional Information

Prior Introductions: None.

Designated Cross File: SB 429 (Charles County Senators) - Judicial Proceedings.

Information Source(s): Department of Legislative Services

Fiscal Note History: First Reader - February 10, 2020
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