

HOUSE BILL 99

M3

1lr1438

HB 824/20 – ENT & ECM

(PRE-FILED)

By: **Delegate Love**

Requested: October 30, 2020

Introduced and read first time: January 13, 2021

Assigned to: Environment and Transportation and Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Beverage Container Deposit Program – Establishment and Advisory**
3 **Commission**

4 FOR the purpose of requiring the Department of the Environment to establish a beverage
5 container deposit program on or before a certain date; establishing the Advisory
6 Commission to Develop a Beverage Container Deposit Program; providing for the
7 composition, chair, and staffing of the Advisory Commission; prohibiting a member
8 of the Advisory Commission from receiving certain compensation, but authorizing
9 the reimbursement of certain expenses; requiring the Advisory Commission to
10 develop a framework for a beverage container deposit program and make
11 recommendations regarding the implementation of the program; requiring the
12 Advisory Commission to report its findings and recommendations to the President of
13 the Senate, the Speaker of the House, and certain committees of the General
14 Assembly on or before a certain date; requiring the Department to establish, on or
15 before a certain date, a beverage container deposit program in accordance with the
16 Advisory Commission's framework and recommendations; providing for the
17 termination of certain provisions of this Act; and generally relating to the
18 establishment of a beverage container deposit program.

19 BY adding to

20 Article – Environment

21 Section 9–1710.1

22 Annotated Code of Maryland

23 (2014 Replacement Volume and 2020 Supplement)

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

26 **Article – Environment**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **9-1710.1.**

2 **ON OR BEFORE SEPTEMBER 1, 2022, THE DEPARTMENT SHALL ESTABLISH A**
3 **BEVERAGE CONTAINER DEPOSIT PROGRAM.**

4 SECTION 2. AND BE IT FURTHER ENACTED, That:

5 (a) There is an Advisory Commission to Develop a Beverage Container Deposit
6 Program.

7 (b) The Advisory Commission consists of the following members:

8 (1) one member of the Senate of Maryland, appointed by the President of
9 the Senate;

10 (2) one member of the House of Delegates, appointed by the Speaker of the
11 House;

12 (3) one representative of the Office of the Comptroller, selected by the
13 Comptroller;

14 (4) one representative of the Department of the Environment, selected by
15 the Secretary of the Environment; and

16 (5) one representative of each of the following industries and organizations,
17 selected by the industries and organizations:

18 (i) the beverage industry;

19 (ii) the Maryland Retailers Association;

20 (iii) the National Aquarium in Baltimore;

21 (iv) Trash Free Maryland; and

22 (v) the Maryland Association of Counties.

23 (c) The President of the Senate and the Speaker of the House shall designate the
24 chair of the Advisory Commission.

25 (d) The Department of the Environment shall provide staff for the Advisory
26 Commission.

27 (e) A member of the Advisory Commission:

28 (1) may not receive compensation as a member of the Advisory
29 Commission; but

1 (2) is entitled to reimbursement for expenses under the Standard State
2 Travel Regulations, as provided in the State budget.

3 (f) The Advisory Commission shall:

4 (1) develop a framework for establishing a beverage container deposit
5 program in the State that:

6 (i) reduces litter, encourages recycling, increases the quality and
7 quantity of recycled material, and reduces greenhouse gas emissions;

8 (ii) achieves a statewide beverage container redemption target of
9 90%;

10 (iii) provides for curbside and drop-off recycling;

11 (iv) encourages public participation in the program by ensuring the
12 convenient deposit of beverage containers;

13 (v) addresses how to include all on-the-go beverage containers in
14 the program, including aluminum, glass, and plastic containers for water, soft drinks, beer,
15 and other alcoholic beverages; and

16 (vi) establishes a minimum redemption amount of 10 cents for
17 containers less than 24 ounces, with the potential for a higher redemption amount for larger
18 containers; and

19 (2) make recommendations regarding how to implement the program by
20 September 1, 2022.

21 (g) On or before December 31, 2021, the Advisory Commission shall report its
22 framework and recommendations to the President of the Senate, the Speaker of the House,
23 the Senate Finance Committee, the Senate Education, Health, and Environmental Affairs
24 Committee, the House Economic Matters Committee, and the House Environment and
25 Transportation Committee in accordance with § 2-1257 of the State Government Article.

26 SECTION 3. AND BE IT FURTHER ENACTED, That the Department of the
27 Environment shall establish, on or before September 1, 2022, a beverage container deposit
28 program in accordance with the framework and recommendations made by the Advisory
29 Commission to Develop a Beverage Container Deposit Program, as enacted under Section
30 2 of this Act.

31 SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take effect June
32 1, 2021. Section 2 of this Act shall remain effective for a period of 1 year and 1 month and,
33 at the end of June 30, 2022, Section 2 of this Act, with no further action required by the
34 General Assembly, shall be abrogated and of no further force and effect.

