

HOUSE BILL 1412

C2

5lr2494

By: **Delegates Alston, Acevero, Martinez, and Tomlinson**

Introduced and read first time: February 7, 2025

Assigned to: Environment and Transportation and Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Business Regulation – Retail Stores – Carryout Bags**

3 FOR the purpose of prohibiting a county or municipal corporation from requiring a retail
4 establishment to impose a fee, tax, or charge for a carryout bag, except under certain
5 circumstances; requiring that certain customers be exempted from any fee, tax, or
6 charge for a carryout bag; and generally relating to fees for carryout bags from retail
7 stores.

8 BY adding to

9 Article – Business Regulation
10 Section 19–108
11 Annotated Code of Maryland
12 (2024 Replacement Volume)

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

15 **Article – Business Regulation**

16 **19–108.**

17 (A) (1) IN THIS SECTION THE FOLLOWING TERMS HAVE THE MEANINGS
18 INDICATED.

19 (2) “LOCAL JURISDICTION” MEANS A COUNTY OR MUNICIPAL
20 CORPORATION.

21 (3) (I) “PUBLIC ASSISTANCE PROGRAM” MEANS ANY
22 PUBLICLY FUNDED BENEFIT PROGRAM THAT A RECIPIENT CAN USE TO PURCHASE
23 FOOD.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(II) “PUBLIC ASSISTANCE PROGRAM” INCLUDES:

- 1. THE FEDERAL SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM (SNAP);**
- 2. THE STATE FAMILY INVESTMENT PROGRAM (FIP);**
- 3. THE FEDERAL WOMEN, INFANTS, AND CHILDREN PROGRAM (WIC); AND**
- 4. ANY OTHER PROGRAM THAT PROVIDES PUBLICLY FUNDED ASSISTANCE THAT CAN BE USED TO PURCHASE FOOD.**

(B) (1) NOTWITHSTANDING ANY OTHER LAW, A LOCAL JURISDICTION MAY NOT ADOPT OR ENFORCE A LAW OR AN ORDINANCE THAT REQUIRES A RETAIL ESTABLISHMENT TO CHARGE AND COLLECT A FEE, A TAX, OR ANY OTHER CHARGE FOR THE USE OF A CARRYOUT BAG AT THE POINT OF SALE UNLESS THE LAW OR ORDINANCE:

(I) WAS IN EFFECT BEFORE JANUARY 1, 2025; AND

(II) REQUIRES THAT REVENUE GENERATED FROM THE SALE OF CARRYOUT BAGS BE PAID TO THE LOCAL JURISDICTION TO BE USED ONLY FOR ENVIRONMENTAL SUPPORT PURPOSES.

(2) A LOCAL JURISDICTION AUTHORIZED UNDER THIS SECTION TO REQUIRE RETAIL ESTABLISHMENTS TO CHARGE AND COLLECT A FEE, A TAX, OR ANY OTHER CHARGE FOR THE USE OF A CARRYOUT BAG AT THE POINT OF SALE SHALL REQUIRE RETAIL ESTABLISHMENTS TO EXEMPT FROM THE CHARGE ANY CUSTOMER:

(I) USING FUNDS FROM A PUBLIC ASSISTANCE PROGRAM TO PAY FOR ALL OR PART OF THEIR PURCHASE; OR

(II) WHO IS AT LEAST 65 YEARS OLD.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2025.