

HOUSE BILL 91

M3

4lr1286

(PRE-FILED)

By: **Delegate Foley**

Requested: October 30, 2023

Introduced and read first time: January 10, 2024

Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **Fossil Fuel-Powered Lawn and Garden Care Equipment – State Purchase, Use,**
3 **and Contracts – Prohibition**

4 FOR the purpose of prohibiting the State from purchasing fossil fuel-powered lawn and
5 garden care equipment beginning on a certain date under certain circumstances;
6 prohibiting the State from entering into or renewing a contract under which the
7 contractor, or a subcontractor employed by the contractor, uses fossil fuel-powered
8 lawn and garden care equipment beginning on a certain date under certain
9 circumstances; prohibiting the State from using any fossil fuel-powered lawn and
10 garden care equipment beginning on a certain date; and generally relating to fossil
11 fuel-powered lawn and garden care equipment.

12 BY adding to

13 Article – Environment

14 Section 3–601 through 3–603 to be under the new subtitle “Subtitle 6.
15 Fossil Fuel-Powered Lawn and Garden Care Equipment”

16 Annotated Code of Maryland

17 (2013 Replacement Volume and 2023 Supplement)

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

20 **Article – Environment**

21 **SUBTITLE 6. FOSSIL FUEL-POWERED LAWN AND GARDEN CARE EQUIPMENT.**

22 **3–601.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 IN THIS SUBTITLE, “FOSSIL FUEL-POWERED LAWN AND GARDEN CARE
2 EQUIPMENT” MEANS GASOLINE-POWERED OR DIESEL-POWERED LAWN AND
3 GARDEN CARE EQUIPMENT AND INCLUDES:

4 (1) LEAF BLOWERS;

5 (2) LAWN MOWERS;

6 (3) HEDGE TRIMMERS; AND

7 (4) WEED TRIMMERS.

8 **3-602.**

9 THIS SUBTITLE DOES NOT APPLY TO:

10 (1) WILDLAND FIRE SUPPRESSION ACTIVITIES; OR

11 (2) PRESCRIBED BURN MANAGEMENT ACTIVITIES.

12 **3-603.**

13 (A) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION,
14 BEGINNING JANUARY 1, 2025, THE STATE MAY NOT PURCHASE FOSSIL
15 FUEL-POWERED LAWN AND GARDEN CARE EQUIPMENT.

16 (2) THE STATE MAY PURCHASE FOSSIL FUEL-POWERED LAWN AND
17 GARDEN CARE EQUIPMENT ON AND AFTER JANUARY 1, 2025, IF AN ELECTRICALLY
18 POWERED ALTERNATIVE IS NOT AVAILABLE ON THE MARKET.

19 (B) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION,
20 BEGINNING JANUARY 1, 2025, THE STATE MAY NOT ENTER INTO OR RENEW A
21 CONTRACT UNDER WHICH THE CONTRACTOR, OR A SUBCONTRACTOR EMPLOYED BY
22 THE CONTRACTOR, USES FOSSIL FUEL-POWERED LAWN AND GARDEN CARE
23 EQUIPMENT.

24 (2) THE STATE MAY ENTER INTO OR RENEW A CONTRACT UNDER
25 WHICH THE CONTRACTOR, OR A SUBCONTRACTOR EMPLOYED BY THE CONTRACTOR,
26 USES FOSSIL FUEL-POWERED LAWN AND GARDEN CARE EQUIPMENT IF AN
27 ELECTRICALLY POWERED ALTERNATIVE IS NOT AVAILABLE ON THE MARKET.

1 **(C) (1) THE STATE MAY CONTINUE TO USE FOSSIL FUEL-POWERED LAWN**
2 **AND GARDEN CARE EQUIPMENT PURCHASED BY THE STATE BEFORE JANUARY 1,**
3 **2025, UNTIL THE EARLIER OF:**

4 **(I) THE EQUIPMENT NEEDING TO BE REPLACED; OR**

5 **(II) JANUARY 1, 2030.**

6 **(2) BEGINNING JANUARY 1, 2030, THE STATE MAY NOT USE FOSSIL**
7 **FUEL-POWERED LAWN AND GARDEN CARE EQUIPMENT.**

8 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
9 1, 2024.