

HOUSE BILL 354

M3, C2

0lr0591

By: **Delegates Love, C. Watson, Boyce, Bridges, Charkoudian, Feldmark, W. Fisher, Fraser-Hidalgo, Guyton, Kelly, Korman, Lehman, R. Lewis, Lierman, Mosby, Palakovich Carr, Shetty, Solomon, Stewart, and Terrasa**
Introduced and read first time: January 20, 2020
Assigned to: Economic Matters and Environment and Transportation

A BILL ENTITLED

1 AN ACT concerning

2 **Solid Waste Management – Personal Cleansing Products Provided at Lodging**
3 **Establishments – Prohibition**

4 FOR the purpose of prohibiting an owner, an operator, or a manager of a lodging
5 establishment from providing a certain personal cleansing product in a certain small
6 plastic bottle under certain circumstances; authorizing an owner, an operator, or a
7 manager of a lodging establishment to provide a certain personal cleansing product
8 in a certain small plastic bottle under certain circumstances; providing for the
9 enforcement of this Act; establishing certain penalties; defining certain terms;
10 providing for the application of this Act; and generally relating to personal cleansing
11 products provided at lodging establishments.

12 BY adding to

13 Article – Environment

14 New part designation “Part I. Labeling of Biodegradable and Compostable Plastic
15 Products” to immediately precede Section 9–2101; and Section 9–2108
16 through 9–2111 to be under the new part “Part II. Personal Cleansing
17 Products”

18 Annotated Code of Maryland

19 (2014 Replacement Volume and 2019 Supplement)

20 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
21 That the new part designation “Part I. Labeling of Biodegradable and Compostable Plastic
22 Products” be added to immediately precede Section 9–2101 of Article – Environment of the
23 Annotated Code of Maryland.

24 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read
25 as follows:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



Article – Environment

9–2106. RESERVED.

9–2107. RESERVED.

PART II. PERSONAL CLEANSING PRODUCTS.

9–2108.

(A) IN THIS PART THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(B) (1) “LODGING ESTABLISHMENT” MEANS AN ESTABLISHMENT THAT:

(I) CONTAINS ONE OR MORE ROOMS AVAILABLE FOR A FEE;
AND

(II) IS USED BY TRANSIENT GUESTS FOR LODGING OR SLEEPING PURPOSES.

(2) “LODGING ESTABLISHMENT” INCLUDES:

(I) A HOTEL;

(II) A MOTEL;

(III) A RESORT;

(IV) A BED AND BREAKFAST INN; AND

(V) A VACATION RENTAL UNIT.

(3) “LODGING ESTABLISHMENT” DOES NOT INCLUDE:

(I) A HOSPITAL;

(II) A NURSING HOME;

(III) A RESIDENTIAL RETIREMENT COMMUNITY;

(IV) A PRISON OR JAIL;

(V) A HOMELESS SHELTER;

(VI) A BOARDING SCHOOL;

(VII) A LONG-TERM RENTAL UNIT;

(VIII) AN EMPLOYEE HOUSING UNIT; OR

(IX) A RESIDENTIAL DWELLING UNIT OR A PORTION OF THE
UNIT USED FOR LIMITED RESIDENTIAL LODGING.

(C) (1) “PERSONAL CLEANSING PRODUCT” MEANS A PRODUCT INTENDED
TO BE APPLIED TO OR USED ON THE HUMAN BODY FOR PURPOSES OF CLEANSING.

(2) “PERSONAL CLEANSING PRODUCT” INCLUDES:

(I) SHAMPOO;

(II) HAIR CONDITIONER; AND

(III) BATH SOAP.

(D) “PLASTIC” HAS THE MEANING STATED IN § 9-2001 OF THIS TITLE.

(E) “SMALL PLASTIC BOTTLE” MEANS A PLASTIC BOTTLE OR CONTAINER
THAT:

(1) HAS LESS THAN A 6-OUNCE CAPACITY; AND

(2) IS INTENDED TO BE NONREUSABLE BY THE END USER.

9-2109.

THIS PART APPLIES ONLY TO:

(1) BEGINNING JANUARY 1, 2023, A LODGING ESTABLISHMENT THAT
HAS 51 OR MORE ROOMS USED FOR LODGING OR SLEEPING PURPOSES; AND

(2) ON AND AFTER JANUARY 1, 2024, ALL LODGING
ESTABLISHMENTS.

9-2110.

(A) SUBJECT TO § 9-2109 OF THIS PART AND EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, AN OWNER, AN OPERATOR, OR A MANAGER OF A LODGING ESTABLISHMENT MAY NOT PROVIDE A PERSONAL CLEANSING PRODUCT IN A SMALL PLASTIC BOTTLE:

(1) TO A GUEST STAYING AT THE LODGING ESTABLISHMENT;

(2) IN ANY PART OF A ROOM USED FOR LODGING OR SLEEPING PURPOSES, INCLUDING THE BATHROOM; OR

(3) IN A BATHROOM THAT IS SHARED BY:

(I) GUESTS STAYING AT THE LODGING ESTABLISHMENT; OR

(II) MEMBERS OF THE PUBLIC.

(B) AN OWNER, AN OPERATOR, OR A MANAGER OF A LODGING ESTABLISHMENT MAY PROVIDE TO A GUEST STAYING AT THE LODGING ESTABLISHMENT A PERSONAL CLEANSING PRODUCT IN A SMALL PLASTIC BOTTLE IF THE PERSONAL CLEANSING PRODUCT IS PROVIDED:

(1) ON REQUEST OF THE GUEST;

(2) AT NO COST TO THE GUEST; AND

(3) IN AN AREA OTHER THAN THE AREAS DESCRIBED UNDER SUBSECTION (A)(2) OR (3) OF THIS SECTION.

9-2111.

(A) THIS PART MAY BE ENFORCED BY:

(1) THE DEPARTMENT;

(2) A UNIT OF LOCAL GOVERNMENT THAT HAS THE AUTHORITY TO INSPECT LODGING ESTABLISHMENTS; OR

(3) THE ATTORNEY GENERAL.

(B) A PERSON WHO VIOLATES THIS PART IS SUBJECT TO:

(1) FOR A FIRST VIOLATION, A WARNING; AND

1 **(2) FOR A SECOND OR SUBSEQUENT VIOLATION, A CIVIL PENALTY OF**
2 **UP TO \$500 BUT NOT EXCEEDING \$2,000 PER PERSON PER YEAR.**

3 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
4 October 1, 2020.