



Memorandum on Plastic Bag Ban Legislation

Plastic Bag Bans in Maryland

The City Manager's office anticipates that the City Council will introduce legislation that will ban single-use plastic bags. This comes on the heels of a plastic bag ban in Anne Arundel County that went into effect January 1, 2024. The Anne Arundel Plastic Reduction Act ([Bill 19-23](#)) prohibits the distribution of plastic bags at retail establishments within Anne Arundel County. Customers are required to bring their own reusable bags or pay a \$0.10 fee for a paper bag. There are similar bans in place in Baltimore County, Howard County, Montgomery County, Prince Georges County, and the cities of Baltimore, College Park, Easton, Frederick, Greenbelt, and Laurel. Washington D.C. also has plastic bag legislation. In 2010, D.C. passed a bill which added mandatory fees to the distribution of plastic *and* paper bags. D.C.'s bill was the first piece of legislation in the country that sought to discourage the use of single use bags of *any* kind.

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Jurisdiction	Bill Name	Is there a fine?	Are paper bags allowed?	Is there a fee?	If so, how much is it?	Who collects the fee?	Effective Date
Anne Arundel County	Bring Your Own Bag Plastic Reduction Act	\$500, \$1000 repeat offenses	Yes	Yes	\$0.10	Retailers	Jan 1, 2024
Baltimore City	Comprehensive Bag Reduction Act	\$250, \$500, \$1000 repeat offenses	Yes	Yes	\$0.05	\$0.01 remitted to the city	Oct 1, 2023
Baltimore County	Bring Your Own Bag Law	: \$500	Yes	Yes	\$0.05	Retailers	Nov 1, 2023

Howard County*	Disposable Bag Fee *	\$500	Yes, as well as plastic	Yes	\$0.05 paper and plastic	\$0.04 remitted to the county	Oct 1, 2020
Montgomery County*	Carryout Bag Tax Law *	\$500, \$750 repeat offenses	Yes, as well as plastic	Yes	\$0.05 paper and plastic	Retailers	July 1, 2022
Prince George's County	Better Bag Bill	\$500	Yes	Yes	\$0.10	Retailers	Jan 1, 2024
College Park, MD	Better Bag Ordinance	\$100, \$200, \$500 repeat offenses	Yes	Yes	\$0.10	Retailers	Sep 1, 2023
Easton, MD	Bring Your Own Bag	Yes: \$25, \$50 repeat offenses	Yes	Yes	\$0.10	Retailers	April 2, 2023
Frederick, MD	Reusable Bag Initiative	: \$500	Yes	No			Jan 1, 2024
Greenbelt, MD	Bring Your Own Bag	: Warning, \$250, \$500 repeat offenses	Yes	Yes			Jan 1, 2024
Laurel, MD	Reusable Bag Ordinance	\$200	Yes	Yes	\$0.10	Retailers	Jan 1, 2024

* indicates that the associated legislation is not an outright ban, but rather a mandatory fee charged for a plastic bag

The chart outlines basic facts about plastic bag bans throughout the State of Maryland. Anne Arundel County, Baltimore County and City, Montgomery County, Prince George's County, Easton, and Frederick have all passed bills which ban the distribution of plastic bags. All jurisdictions have fines in place that penalize the retailer for violating the ban. Most jurisdictions have a fine which ramps up for repeat violations.

Baltimore City collects a portion of the fee that is charged for paper bags. For Baltimore City this remittance goes into the City's general fund. Howard County also collects a portion of the fee charged as remittance. The remittance is put into a disposable plastics reduction fund. This fund finances the PREP program (Plastics Reduction and Environmental Protection). The PREP

program helps environmental non-profits clean communities. An important clarification for Montgomery County's and Howard County's laws is that they are not outright bans on plastic bags. The laws allow plastic bags to be distributed, but a fee must be charged for plastic bags. The fines are levied on stores who fail to charge the fee for the bags.

The plastic bag ban appears to be working for Baltimore City. The Waterfront Partnership of Baltimore has announced that the amount of trash in the Baltimore Harbor is decreasing. Baltimore Harbor's famous 'trash wheel' has been collecting less trash this year than in previous years. The number of plastic bags that the four Baltimore trash wheels are collecting has dropped by 72%, a clear sign that the ban is working as intended. Note: the Baltimore City ban allows plastic bags 4 mil or thicker (heavy duty plastic used to contain screws, bolts, etc.), compostable bags, and paper bags.

Most, if not all, of these laws include exemptions for certain types of products and places of business. Exempt products include, but are not limited to, bakery goods, raw meat and seafood, bulk items, newspapers, flowers, dry cleaning film, and loose tobacco products. Generally, exempt businesses include full and limited service restaurants, fast food restaurants, cafeterias, cafés, delis, coffee shops, and food trucks.

Plastic Bag Bans in Annapolis

The City of Annapolis has a history of attempting plastic bag bans. In 2007, Mayor Moyer (co-sponsored by Alderman Shropshire) introduced a bill which sought to ban plastic bags because of their harmful effects on the environment. The proposed bill cited their impact on wildlife, the Chesapeake Bay, and their immense use of oil. The bill failed largely due to pushback from local business owners and major grocers, such as Giant and Safeway. The Annapolis Business Association claimed that the bill would "[place undue hardship on downtown business owners](#)".

In 2020, Alderman Savidge introduced an ordinance that sought to ban plastic bags from distribution at retail establishments. It is important to note that this proposed ban did not apply to businesses smaller than 20,000 square feet. Its purpose was to cut down on plastic pollution. [Ordinance 9-20](#) allowed the use of paper bags, but required that retailers charge a \$0.20 fee per paper bag. The fee was to be split between the retailer to cover administrative costs and "to the City's Watershed Restoration Fund to be used for cleanup of legacy plastic bag pollution and other restoration activities". Ordinance 9-20 was withdrawn without objection in early 2020 by Alderman Savidge due to the coronavirus pandemic. It was believed that enough stress was already being placed on retailers due to the pandemic, and a ban on plastic bags at that time would only exacerbate the issue.

Justification for Plastic Ban Legislation:

There is sufficient justification for plastic bag bans. For starters, they comprise 12% of all of the plastic waste generated in the United States. So eliminating them would make a sizable dent in the nation's waste generation. Plastic bags are atrocious for the environment. Plastic bags are some of the most common types of litter. They get into the water where they are mistakenly eaten by wildlife. The plastic in the bags are broken down into microplastics which then can be

ingested by people and wildlife. They can take up to 1000 years to decompose in a landfill. Plastic bags are also impossible to recycle because they clog up the machinery in recycling plants. Plastic bag bans are also politically feasible, many jurisdictions across the country have successfully implemented their own bans.

Outside of Maryland, many other jurisdictions have passed plastic bag bans. Across the United States more than 500 cities have banned the distribution of plastic bags. 12 states have banned them state-wide, California, Colorado, Connecticut, Delaware, Hawaii, Maine, New Jersey, New York, Oregon, Rhode Island, Vermont, and Washington. New Jersey has taken the ban a step further and banned all paper bags as well, requiring that customers bring their own reusable bags with no alternative. Plastic bag bans such as the one being considered by Annapolis allow customers to pay a fee for a paper bag. This helps discourage the use of single use bags of any kind, while encouraging people to bring their own reusable bags.

The Environmental Costs of Paper Bags

While paper bags are a better alternative, they are not a solution to the problem. Paper bags are seen as the lesser of two evils from a litter perspective. They are most easily recycled and composted and they are produced from a renewable resource - trees. However, from a global warming standpoint, paper bags typically require more energy to produce than plastic bags.. This is because [it takes significantly more energy to create pulp](#) and manufacture a paper bag than it does to make a single-use plastic bag from oil. In order to offset this environmental impact, a paper bag needs to be used three times before its environmental impact equals a plastic bag that is used only once. If a plastic bag is reused several times, its carbon footprint is further reduced. Therefore, from a carbon emissions standpoint, there are trade-offs between paper and plastic bags.

There have been attempts to make paper bags a more sustainable alternative. Many jurisdictions, including Maryland, have passed legislation that sets out requirements for the usage of paper bags. The State of Maryland is only allowed to purchase paper products that consist of at least 40% post consumer recycled paper (PCR). Using PCR paper helps reduce the need to cut down trees. The process of recycling paper eliminates the emissions caused by traditional paper manufacturing. This is because the production of PCR paper is less chemically intensive. There are some drawbacks to PCR paper. PCR paper costs about 25% more than traditional paper. It costs more than traditional paper because PCR paper has a more complex and costly manufacturing process and it is less abundant than traditional paper.

Reusable Bags:

The best alternative to a plastic bag is a reusable bag. Reusable bags are typically made up of cloth or fabric. They are significantly more durable than either plastic or paper bags. Reusable bags can be used numerous times and last significantly longer than paper or plastic bags. The only challenge with using a reusable bag is that consumers must remember to bring them when they go shopping. Some consumers feel that this is too much of a burden. However, even a reusable cotton bag must be used an estimated 131 times before its environmental impact is

equal to that of a plastic bag used only once due to the environmental impacts associated with growing cotton, including energy use, land use, and fertilizer and pesticide application.