

Introduced 09.08.2021
Public Hearing 09.20.2021
Council Action 10-4-2021
Executive Action 10-13-2021
Effective Date 12-13-2021

County Council of Howard County, Maryland

2021 Legislative Session

Legislative Day No. 15

Bill No. 67-2021

Introduced by: Christiana Rigby and Opel Jones

AN ACT altering the date by which a store must remit the fees collected for disposable bags to the Director of Finance; and generally relating to disposable bag fees in the County.

Introduced and read first time Sept 8, 2021. Ordered posted and hearing scheduled.

By order Michelle Harrod
Michelle R. Harrod, Administrator

Having been posted and notice of time & place of hearing & title of Bill having been published according to Charter, the Bill was read for a second time at a public hearing on Sept 20, 2021.

By order Michelle Harrod
Michelle R. Harrod, Administrator

This Bill was read the third time on October 4, 2021 and Passed , Passed with amendments _____, Failed _____.

By order Michelle Harrod
Michelle R. Harrod, Administrator

Sealed with the County Seal and presented to the County Executive for approval this 5 day of October, 2021 at 10 a.m. 0

By order Michelle Harrod
Michelle R. Harrod, Administrator

Approved/Vetoed by the County Executive October 13, 2021

Calvin Ball
Calvin Ball, County Executive

NOTE: [[text in brackets]] indicates deletions from existing law; Text in small capitals indicates additions to existing law; Strike-out indicates material deleted by amendment; Underlining indicates material added by amendment.

1 **Section 1. Be it enacted** by the County Council of Howard County, Maryland, that the Howard County
2 Code is hereby amended as follows:

3 *By amending:*

4 *Title 20 – Taxes, Charges, and Fees*

5 *Subtitle 13. Disposable Bag Fees.*

6 *Section 20.1302. Duties of Store.*

7

8

HOWARD COUNTY CODE

9

Title 20 – Taxes, Charges, and Fees

10

Subtitle 13. Disposable Bag Fees

11 **Sec. 20.1302. Duties of store.**

12 (a) *Collection.*

13 (1) Each store that provides a disposable bag to a customer must collect the fee imposed
14 by section 20.1301 of this subtitle when the customer pays for the products placed in
15 the disposable bag.

16 (2) The store must indicate on the customer's receipt the number of disposable bags
17 provided to the customer and the fees collected for the disposable bags.

18 (b) *Remittance.*

19 (1) Subject to paragraph (4) of this subsection, a store shall remit the fees collected under
20 subsection (a) of this section to the Director of Finance [[on or before the store's last
21 business day of each calendar quarter]] QUARTERLY. The store must include with the
22 remittance the information that the Director of Finance requires. FEES COLLECTED
23 DURING EACH CALENDAR YEAR SHALL BE REMITTED ON OR BEFORE THE STORE'S LAST
24 BUSINESS DAY OF THE MONTH ACCORDING TO THE FOLLOWING SCHEDULE.

25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20

REMITTANCE SCHEDULE FOR QUARTERLY FEES COLLECTED BY STORE:

CALENDAR QUARTER	REMITTANCE ON OR BEFORE THE STORE'S LAST BUSINESS DAY OF:
JANUARY THROUGH MARCH	APRIL
APRIL THROUGH JUNE	JULY
JULY THROUGH SEPTEMBER	OCTOBER
OCTOBER THROUGH DECEMBER	JANUARY

(2) To cover the administrative expense of collecting and remitting the fee, the store may retain up to 20 percent of each five-cent fee collected.

(3) If a store does not comply with paragraph (1) of this subsection, the Director of Finance may estimate the remittance due and send a bill to the store at the store's last known address. The store shall pay the bill within ten days after the bill is sent.

(4) A store need not remit the fees collected until the amount collected is at least \$50.00 quarterly.

(5) A store shall hold the fees collected in trust for the County until the store remits the collected fees to the County.

(c) *Records.* Each store shall keep for three years the records required to verify the amounts calculated under this section.

(d) *Signage.* Each store shall post appropriate notices designed to remind customers to use non-disposable bags, including posting at each place where shopping carts are kept for customers and at each place where customers pay. The Director of Finance in consultation with the Office of Community Sustainability may adopt guidelines to carry out this section.

Section 2. *Be it further enacted by the County Council of Howard County, Maryland, that this Act shall become effective 61 days after its enactment.*

BY THE COUNCIL

This Bill, having been approved by the Executive and returned to the Council, stands enacted on October 13, 2021.

Michelle Harrod
Michelle Harrod, Administrator to the County Council

BY THE COUNCIL

This Bill, having been passed by the yeas and nays of two-thirds of the members of the Council notwithstanding the objections of the Executive, stands enacted on _____, 2021.

Michelle Harrod, Administrator to the County Council

BY THE COUNCIL

This Bill, having received neither the approval nor the disapproval of the Executive within ten days of its presentation, stands enacted on _____, 2021.

Michelle Harrod, Administrator to the County Council

BY THE COUNCIL

This Bill, not having been considered on final reading within the time required by Charter, stands failed for want of consideration on _____, 2021.

Michelle Harrod, Administrator to the County Council

BY THE COUNCIL

This Bill, having been disapproved by the Executive and having failed on passage upon consideration by the Council stands failed on _____, 2021.

Michelle Harrod, Administrator to the County Council

BY THE COUNCIL

This Bill, the withdrawal of which received a vote of two-thirds (2/3) of the members of the Council, is withdrawn from further consideration on _____, 2021.

Michelle Harrod, Administrator to the County Council