



## CITY OF TAKOMA PARK, MARYLAND

### HB 314 / SB 223 Support With Amendments

**January 28, 2021**

**House - Environment and Transportation and Economic Matters**

**Senate - Finance**

**HB 314 / SB 223: Plastic Bag Reduction Act**

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The City of Takoma Park supports with amendments the Plastic Bag Reduction Act.

The City of Takoma Park has prohibited most single-use plastic bags for a number of years as part of our efforts to reduce pollution and limit the creation and proliferation of plastics. We work with our businesses and farmers markets to help them find alternative bags for their use. The items for which single-use plastic bags may be used in Takoma Park are nearly identical to those included in HB 314 / SB 223, the Plastic Bag Reduction Act, and so the major purpose of this Act is consistent with policy of the City of Takoma Park to limit plastic bags in the environment.

However, there are two points which the City believes should be addressed through amendment:

- The preemption of municipal or other local government law in HB 314 / SB 223 is unfortunate, and we ask to have this preemption language removed. Provided the terms of a municipal law are at least as restrictive as a State law, the municipality should be able to craft law that best meets the needs of the particular community, as adopted by their elected representatives and as authorized under the State Constitution.
- The enforcement authority of the proposed Plastic Bag Reduction Act is unclear. One provision of the Act is to allow a unit of County government to grant up to two temporary waivers of the provision to a retail establishment. This seems to imply that a County government would be responsible for enforcing the State law within municipalities. Enforcement authority should be clarified in the text of the Act.

A world without single-use plastic bags is a better world and this Act will help Maryland do its part. **The City of Takoma Park urges favorable consideration, with amendments regarding preemption and enforcement, of HB 314 / SB 223.**