

SENATE BILL 429

E1, L1

0lr1321
CF HB 384

By: **Charles County Senators**

Introduced and read first time: January 27, 2020

Assigned to: Judicial Proceedings

Committee Report: Favorable

Senate action: Adopted

Read second time: March 5, 2020

CHAPTER _____

1 AN ACT concerning

2 **Charles County – Illegal Disposal of Bulky Items – Penalties**

3 FOR the purpose of authorizing the governing body of Charles County to adopt an
4 ordinance to prohibit the disposal of a bulky item in certain locations under certain
5 circumstances; authorizing Charles County to impose certain penalties for certain
6 violations; altering the definition of a certain term; making conforming changes; and
7 generally relating to the illegal disposal of bulky items in Charles County.

8 BY repealing and reenacting, with amendments,
9 Article – Criminal Law
10 Section 10–110(a) and (j)
11 Annotated Code of Maryland
12 (2012 Replacement Volume and 2019 Supplement)

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

15 **Article – Criminal Law**

16 10–110.

17 (a) (1) In this section the following words have the meanings indicated.

18 (2) “Bi–county unit” means:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 (i) the Maryland–National Capital Park and Planning Commission;
2 or

3 (ii) the Washington Suburban Sanitary Commission.

4 (3) (i) “Bulky item” means any discarded furniture, home or industrial
5 appliance, or abandoned vehicle or part of an abandoned vehicle not designated for disposal
6 purposes under the laws of Prince George’s County **OR CHARLES COUNTY**.

7 (ii) “Bulky item” does not include discarding, dropping, or scattering
8 of small quantities of waste matter ordinarily carried on or about the person, including:

9 1. beverage containers and closures;

10 2. packaging;

11 3. wrappers;

12 4. wastepaper;

13 5. newspapers;

14 6. magazines; and

15 7. waste matter that escapes or is allowed to escape from a
16 container, receptacle, or package.

17 (4) “Litter” means all rubbish, waste matter, refuse, garbage, trash, debris,
18 dead animals, or other discarded materials of every kind and description.

19 (5) “Public or private property” means:

20 (i) the right–of–way of a road or highway;

21 (ii) a body of water or watercourse or the shores or beaches of a body
22 of water or watercourse;

23 (iii) a park;

24 (iv) a parking facility;

25 (v) a playground;

26 (vi) public service company property or transmission line
27 right–of–way;

28 (vii) a building;

1 (viii) a refuge or conservation or recreation area;

2 (ix) residential or farm property; or

3 (x) timberlands or a forest.

4 (j) (1) The legislative body of a municipal corporation may:

5 (i) prohibit littering; and

6 (ii) classify littering as a municipal infraction under Title 6 of the
7 Local Government Article.

8 (2) The governing bodies of Prince George's County, Calvert County, and
9 Montgomery County may each adopt an ordinance to prohibit littering under this section
10 and, for violations of the ordinance, may impose criminal penalties and civil penalties that
11 do not exceed the criminal penalties and civil penalties specified in subsection (f)(1) through
12 (3) of this section.

13 (3) (i) The governing [body] **BODIES** of Prince George's County **AND**
14 **CHARLES COUNTY** may **EACH** adopt an ordinance to prohibit the disposal of a bulky item:

15 1. on a highway; or

16 2. on public or private property unless the property is
17 designated by the State, a unit of the State, or a political subdivision of the State for the
18 disposal of bulky items and the person is authorized by the proper public authority to use
19 the property.

20 (ii) For violations of [the] **AN** ordinance adopted under this
21 paragraph, [Prince George's County] **A COUNTY** may impose criminal penalties and civil
22 penalties that do not exceed the criminal penalties and civil penalties specified in
23 subparagraph (iii) of this paragraph.

24 (iii) A person who disposes of a bulky item in violation of this
25 paragraph is guilty of a misdemeanor and on conviction is subject to imprisonment not
26 exceeding 30 days or a fine not exceeding \$5,000 or both.

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