

Motion Sheet  
**September 26, 2023**

**1. Consent Agenda:** I move to adopt the Consent Agenda. (Mayor Kabir will read the agenda items)

23-G-142	Approval of a sponsorship in the amount of \$2,000 for Holy Redeemer School Home and School Association's Monster Dash 5k Race
23-G-143	Approval of a contract with Thomas Steel Barriers for the purchase of pin down barriers for Knox Road closures

**ACTION ITEMS**

23-O-08	<p>I move to introduce Ordinance 23-O-08, an Ordinance of the Mayor and Council of the City of College Park, amending Chapter 175 "Taxation", by enacting Article V, "Property tax credit for elderly individuals", §175-14 "Establishment of tax credit", §175-15, "Eligibility", §175-16, "Amount and duration of credit", §175-17, "Application for the tax credit, and §175-18, "Effective date of the tax credit," to authorize the Mayor and Council to approve a tax credit for elderly individuals and to provide the extent, duration, and eligibility requirements for the credit as authorized by §9-258 of Taxation-Property Article, Annotated Code of Maryland</p> <p><b><u>The Public Hearing will be held on October 10, 2023</u></b></p>
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**CITY OF COLLEGE PARK, MARYLAND  
ACTION ITEM COVER REPORT**

**Possible Addition to the Agenda**

**AGENDA ITEM:** 23-G-145

**Prepared By:** Bill Gardiner  
Assistant City Manager

**Meeting Date:** 9/26/23

**Presented By:** Bill Gardiner

**Proposed Consent:** Yes

**Originating Department:** Administration

**Action Requested:** City Council letter to the County Council Transportation, Infrastructure, Energy, and the Environment Committee opposing part of CB-79-23 which would amend the County Better Bag Bill

**Strategic Plan Objective:** OKR#3  
Preserve and enrich our environment and natural beauty to attract people and sustain our City's future.

**Background/Justification:**

The City and the County both have enacted "better bag" legislation requiring (with some exemptions) retailers to charge a minimum of 10 cents for paper bags and prohibiting plastic single-use bags. CB-79-23 would amend the County bill to make 10 cents per paper bag the maximum charge; exempts customers who receive federal and state supplemental nutrition assistance from the charge; and exempts the charge for drive-thru food service and leftovers from restaurants.

The Committee for a Better Environment discussed the proposed legislation and voted to oppose the change making 10 cents per paper bag the maximum charge. Such a change would pass additional costs to businesses (bags often cost more than 10 cents) and disincentivize use of reusable bags—undermining the intent of the original legislation. The City's legislation exempts pharmacies from the charge for paper bags but does not exempt drive-thru restaurants or leftovers from the paper bag charge.

The City also has provided free re-usable bags to food service providers, schools, businesses, and others.

Amendments to the County bill that would expand exemptions for certain businesses and that would make 10 cents the maximum charge would likely create confusion because the legislation differs from that in several municipalities. The City legislation is not required to be identical to the County legislation.

The County Council Transportation, Infrastructure, Energy, and the Environment Committee will discuss CB-79-23 on Thursday, September 28<sup>th</sup>.

**Fiscal Impact:** None

**Equity & Inclusion Impact:** The exemption to the charge for residents receiving supplemental assistance promotes the City's goals on equity and inclusion but would be difficult to implement fairly.

**Council Options:**

1. Authorize the City to send correspondence to the County Council Transportation, Infrastructure, Energy, and the Environment Committee opposing the amendment to make 10 cents the maximum charge for paper bags.
2. Request additional information regarding the legislation.

3. Decline to take a position at this time.

**Staff Recommendation:**

# 1

**Recommended Motion:**

*I move to authorize the City to provide correspondence to the County Council Transportation, Infrastructure, Energy, and the Environment Committee opposing the amendment in CB-79-2023 to make 10 cents the maximum charge for paper bags provided by retailers.*

**Attachments:**

1. CB-79-2023

**COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND**  
**2023 Legislative Session**

Bill No. CB-079-2023

Chapter No. \_\_\_\_\_

Proposed and Presented by Council Members Oriadha, Blegay and Burroughs

Introduced by \_\_\_\_\_

Co-Sponsors \_\_\_\_\_

Date of Introduction \_\_\_\_\_

**BILL**

1 AN ACT concerning

2 Better Bag Bill – Revisions

3 For the purpose of establishing a maximum charge for certain paper and reusable carryout bags  
4 provided by a retail establishment, with certain exceptions; establishing a certain supplemental  
5 nutrition exception for a maximum charge for certain paper and reusable carryout bags provided  
6 by a retail establishment; establishing certain exceptions for a maximum charge for certain  
7 reusable carryout bags provided by a retail establishment; and generally relating to the better bag  
8 bill revisions.

9 BY repealing and reenacting:

10 SUBTITLE 19. POLLUTION.

11 Section 19-164,

12 The Prince George's County Code

13 (2019 Edition; 2022 Supplement).

14 SECTION 1. BE IT ENACTED by the County Council of Prince George's County,  
15 Maryland, that Section 19-164 of the Prince George's County Code be and the same is hereby  
16 repealed and reenacted:

17 SUBTITLE 19. POLLUTION.

18 DIVISION 9. PLASTIC BAG REDUCTION.

19 **Sec. 19-164. Prohibited Acts; Paper and Reusable Carryout Bag Charge.**

20 (a) After December 31, 2023, a retail establishment may not provide a plastic carryout bag to a  
21 customer.

1 (b) (1) After December 31, 2023, with certain exceptions, a retail establishment shall charge,  
2 collect, and retain [at least] not more than 10 cents for each paper carryout bag and reusable  
3 carryout bag that it provides to a customer.

4 (2) The charge for paper carryout bags and reusable carryout bags shall not apply to a paper  
5 bag and reusable carryout bag containing prescription medication provided by a pharmacy to a  
6 customer.

7 (3) The charge for paper carryout bags and reusable carryout bags shall not apply to a paper  
8 bag and reusable carryout bag containing prepared food provided at the drive-through window of  
9 a restaurant or a paper bag and reusable carryout bag provided by a full-service restaurant after a  
10 meal for leftovers.

11 (3.1) The charge for paper carryout bags and reusable carryout bags shall not apply to a paper  
12 bag and reusable carryout bag for any customer who uses any supplemental nutrition assistance  
13 programs, including, but not limited to: state or federal supplemental nutrition assistance programs  
14 (SNAP), commonly known as food stamps, food coupons or other type of allotment issued under  
15 7 U.S.C.S. §§ 2011-2036, with food instruments, food vouchers, other type of certificate issued  
16 under 42 U.S.C.S. § 1786 (Special Supplemental Food Program for Women, Infants, and  
17 Children), with Pandemic Electronic Benefit Transfer (P-EBT), 7 CFR 284.1, and with the  
18 Summer Electronic Benefit Transfer Program, 42 U.S.C.S. 1762, for any part of the transaction.

19 (4) A retail establishment may not advertise, hold out, or state to the public or to a customer,  
20 directly or indirectly, that any part of the money collected under paragraph (1) of this subsection  
21 will be assumed or absorbed by the establishment or refunded to the customer.

22 (5) Notwithstanding subsections (1)-(4), above, the Department may designate one week per  
23 year when retail establishments may provide reusable bags free of charge as a promotion.

24 (6) A retail establishment shall indicate on the customer transaction receipt the number of  
25 paper or reusable carryout bags provided by the establishment and the amount charged.

26 (7) A retail establishment shall post a notice at the public entrance to the retail establishment  
27 or at each point of sale that advises customers to bring reusable carryout bags or to skip the bag  
28 and that all carryout bags provided by the retailer are subject to a charge. The notices shall be  
29 posted in English and Spanish. The County shall post an example of a notice in English and  
30 Spanish on the County website.

31 SECTION 2. BE IT FURTHER ENACTED that the provisions of this Act are hereby

1 declared to be severable; and, in the event that any section, subsection, paragraph, subparagraph,  
2 sentence, clause, phrase, or word of this Act is declared invalid or unconstitutional by a court of  
3 competent jurisdiction, such invalidity or unconstitutionality shall not affect the remaining words,  
4 phrases, clauses, sentences, subparagraphs, paragraphs, subsections, or sections of this Act, since  
5 the same would have been enacted without the incorporation in this Act of any such invalid or  
6 unconstitutional word, phrase, clause, sentence, paragraph, subparagraph, subsection, or section.

7 SECTION 3. BE IT FURTHER ENACTED that this Act shall take effect forty-five (45)  
8 calendar days after it becomes law.

Adopted this \_\_\_\_ day of \_\_\_\_\_, 2023.

COUNTY COUNCIL OF PRINCE  
GEORGE'S COUNTY, MARYLAND

BY: \_\_\_\_\_  
Thomas E. Dernoga  
Chair

ATTEST:

\_\_\_\_\_  
Donna J. Brown  
Clerk of the Council

APPROVED:

DATE: \_\_\_\_\_ BY: \_\_\_\_\_  
Angela D. Alsobrooks  
County Executive



**CITY OF COLLEGE PARK, MARYLAND  
ACTION ITEM COVER REPORT**

**AGENDA ITEM:**

**Prepared By:** Bill Gardiner  
Assistant City Manager

**Meeting Date:** 9/12/23

**Presented By:** Bill Gardiner  
Assistant City Manager

**Proposed Consent:** Yes

**Originating Department:** Administration

**Action Requested:** City Council letter to the County Council Transportation, Infrastructure, Energy, and the Environment Committee opposing part of CB-79-23 which would amend the County Better Bag Bill

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**Staff Recommendation:**

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**Recommended Motion:**

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**Attachments:**

1. CB-79-2023