

| Sponsor / Proposer           | Amendment Text   | Explanation   |
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| <p>1. Councilwoman Sneed</p> | <p>On page 2, strike lines 22 through 32 in their entirety; and, on page 3, strike 1 through 5 in their entirety; and, on that same page, in line 6, strike the subsection designator “(E)” and substitute “(B)”; and, on that same page, after line 26, insert:</p> <p><u>“(C) PLASTIC CHECKOUT BAG.</u></p> <p><u>(1) “PLASTIC CHECKOUT BAG” MEANS ANY PLASTIC BAG THAT IS:</u></p> <p><u>(I) SUPPLIED BY A DEALER AT THE POINT OF SALE, PICKUP, OR DELIVERY TO CARRY PURCHASED ITEMS;</u></p> <p><u>(II) LESS THAN 4 MILS THICK; AND</u></p> <p><u>(III) NOT DESIGNED OR INTENDED FOR REUSE.</u></p> <p><u>(2) “PLASTIC CHECKOUT BAG” DOES NOT INCLUDE A COMPOSTABLE PLASTIC BAG THAT:</u></p> <p><u>(I) IS CERTIFIED AND LABELED AS MEETING THE ASTM D6400 STANDARD SPECIFICATION BY A RECOGNIZED VERIFICATION ENTITY; AND</u></p> <p><u>(II) IS CAPABLE OF UNDERGOING BIOLOGICAL DECOMPOSITION IN A COMPOST SITE SUCH THAT THE MATERIAL BREAKS DOWN INTO CARBON DIOXIDE, WATER, INORGANIC COMPOUNDS, AND BIOMASS AT A RATE CONSISTENT WITH KNOWN COMPOSTABLE MATERIALS.”;</u></p> <p>and, on page 4, in lines 5 and 7, in each instance, before “CHECKOUT”, insert “<u>PLASTIC</u>”; and, on that same page, in line 14, strike “UNPACKED” and substitute “<u>UNPACKAGED</u>”; and, on page 6, in line 7, before “BAG”, insert “<u>CHECKOUT</u>”; and, on page 7, in line 2, strike “§ 62-1(E)” and substitute “<u>§ 62-1(B)</u>”; and, on that same page, in line 9, after “PLASTIC”, insert “<u>BAG</u>”; and, on that same page, in line 13, strike “§ 62-1(B)(2)” and substitute “<u>§ 62-1(C)(2)</u>”; and, on that same page, in line 14, strike “CHECKOUT” and substitute “<u>PLASTIC CHECKOUT</u>”; and, on that same page, strike lines 16 through 25 in their entirety, and on page 8, strike line 1 and line 2, and substitute:</p> <p><u>“CHECKOUT BAG” DOES NOT INCLUDE:</u></p> <p><u>(I) A BAG SOLELY USED TO CONTAIN:</u></p> <p><u>(A) FRESH FISH AND FRESH FISH PRODUCTS;</u></p> <p><u>(B) FRESH MEAT AND FRESH MEAT PRODUCTS;</u></p> <p><u>(C) FRESH POULTRY AND FRESH POULTRY PRODUCTS;</u></p> | <p>This amendment:</p> <ol style="list-style-type: none"> <li>1. Removes definitions for the Health Commissioner and Department of Health that are made superfluous by other amendments.</li> <li>2. Clarifies the definition of “Plastic Checkout Bags” to include only bags that are less than 4 mils thick and are not designed or intended for reuse.</li> <li>3. Distinguishes between “Plastic Checkout Bags” that are prohibited and “Checkout Bags” that are subject to the surcharge.</li> <li>4. Adds “Otherwise Unpackaged Baked Goods” to the list of exclusions from the surcharge on checkout bags.</li> <li>5. Makes several technical changes.</li> </ol> |

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|                              | <p><u>(D) OTHERWISE UNPACKAGED FRUITS, NUTS, OR VEGETABLES;</u><br/> <u>(E) OTHERWISE UNPACKAGED CONFECTIONERY;</u><br/> <u>(F) OTHERWISE UNPACKAGED FRESH CHEESE;</u><br/> <u>(G) OTHERWISE UNPACKAGED BAKED GOODS;</u><br/> <u>(H) ICE;</u><br/> <u>(I) FOOD AND GOODS OBTAINED AT A FARMERS' MARKET;</u><br/> <u>(J) PRESCRIPTION DRUGS OBTAINED FROM A PHARMACY;</u><br/> <u>(K) NEWSPAPERS; OR</u><br/> <u>(L) DRY-CLEANED GOODS; OR</u><br/> <u>(II) A "PLASTIC CHECKOUT BAG" DESCRIBED IN CITY CODE, ARTICLE 7, § 62-1(C)(1) {"DEFINITIONS: PLASTIC CHECKOUT BAG"}."</u>;</p>   |  |
| <p>2. Councilwoman Sneed</p> | <p>On page 2, in line 8, strike "31-11" and substitute "<u>31-12</u>"; and, on that same page, in line 9, strike "Reduction" and substitute "<u>Surcharge</u>"; and, on page 4, in line 3, strike beginning with "AND" down through and including the closing brace in line 4; and, on that same page, strike lines 20 through 24 in their entirety and substitute "<u>§ 62-5. {RESERVED}</u>"; and, on page 8, at the beginning of line 13, strike "A" and substitute: "<u>EXCEPT AS PROVIDED IN § 31-4 {"VOUCHER OR ELECTRONIC BENEFITS TRANSFER PURCHASES"} OF THIS SUBTITLE, A</u>"; and, on that same page, after line 19, insert:</p> <p style="text-align: center;"><b><u>"31-4. VOUCHER OR ELECTRONIC BENEFITS TRANSFER PURCHASES.</u></b></p> <p style="text-align: center;"><u>THE SURCHARGE IMPOSED BY THIS SUBTITLE MAY NOT BE IMPOSED ON ANY CHECKOUT BAG SUPPLIED TO A CUSTOMER WHO IS PURCHASING GOODS USING A VOUCHER OR ELECTRONIC BENEFITS TRANSFER CARD ISSUED UNDER THE FOOD SUPPLEMENT PROGRAM (FSP), WOMEN, INFANTS, AND CHILDREN PROGRAM (WIC), OR THE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM (SNAP)."</u>;</p> <p>and, on page 8, in line 20, on page 9, in line 22, and, on page 10, in lines 6, 12, 13, 19, 20, and on page 11, in line 3, strike the section designators "<u>§ 31-4</u>", "<u>§ 31-5</u>", "<u>§ 31-6</u>", "<u>§ 31-7</u>", "<u>§ 31-8</u>", "<u>§ 31-9</u>", "<u>§ 31-10</u>", and "<u>§ 31-11</u>", respectively, and substitute "<u>§ 31-5</u>", "<u>§ 31-6</u>", "<u>§ 31-7</u>", "<u>§ 31-8</u>", "<u>§ 31-9</u>", "<u>§ 31-10</u>", "<u>§ 31-11</u>", and "<u>§ 31-12</u>", respectively.</p> | <p>This amendment removes the exemption from the ban on certain plastic bags for voucher or electronic benefits purchases, adds an exemption to the surcharge for voucher or electronic benefits purchases, and makes several technical changes.</p> |

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| <p>3. Councilwoman Sneed</p> | <p>On page 4, in line 25, strike “<u>{RESERVED}</u>” and substitute “<u>AGENCIES TO ENFORCE.</u>”; on that same page, after line 25, insert:</p> <p style="text-align: center;"><u>“ENFORCEMENT OF THIS SUBTITLE SHALL BE CONDUCTED BY “CODE ENFORCEMENT OFFICERS”, AS DEFINED IN CITY CODE ARTICLE 1, § 40-1(C).”</u>;</p> <p>and, on page 5, in line 3, strike “THE COMMISSIONER MUST” and substitute “<u>ANY AGENCY EMPLOYING CODE ENFORCEMENT OFFICERS RESPONSIBLE FOR ENFORCING THIS SUBTITLE UNDER § 62-6 OF THIS SUBTITLE MAY</u>”; and, on that same page, in line 10, strike “COMMISSIONER” and substitute “<u>OFFICE OF THE MAYOR</u>”; and, on that same page, in line 11, strike “THE MAYOR AND”.</p> | <p>This amendment provides authority for any code enforcement officer to enforce the provisions of the ordinance, allows any agency with authority to enforce the provisions (rather than just the Health Commissioner) to adopt rules and regulations, and requires the Office of the Mayor (rather than the Health Commissioner) to submit an annual report detailing enforcement and compliance.</p> |
| <p>4. Councilwoman Sneed</p> | <p>On page 6, strike lines 3 through 5 in their entirety and substitute:</p> <p style="text-align: center;"><u>“ANY DEALER WHO VIOLATES ANY PROVISION OF THIS SUBTITLE AFTER HAVING TWICE PREVIOUSLY BEEN FOUND TO HAVE VIOLATED THIS SUBTITLE IS GUILTY OF A MISDEMEANOR AND, ON CONVICTION, IS SUBJECT TO A FINE OF NOT MORE THAN \$1,000 FOR EACH OFFENSE.”</u>.</p>   | <p>This Amendment applies the criminal penalties only after the dealer has twice previously violated the prohibition on providing plastic checkout bags, rather than on the first offense.</p>  |
| <p>5. Councilwoman Sneed</p> | <p>On page 10, in lines 7, 8, and 21, in each instance, strike “DEALER” and substitute “<u>PERSON</u>”.</p>   | <p>This amendment replaces “dealer” with “person” for the purposes of interest and civil penalties and prohibited conduct related to the surcharge.</p>   |
| <p>6. Law Department</p>     | <p>Delete lines 22 through 31 on page 9 and lines 1 through 5 on page 10.</p> <p>On page 10, in line 7, insert "(A)" before "IF"</p> <p>On page 10, after line 11, insert "(B) IF A DEALER FAILS TO MAKE REPORTS WHEN DUE OR FAILS TO KEEP SUITABLE RECORDS AS REQUIRED UNDER THIS SUBTITLE, THE DEALER MUST PAY THE DIRECTOR A PENALTY OF \$1,000 FOR EACH MONTH THAT REPORTS ARE NOT MADE, OR SUITABLE RECORDS ARE NOT KEPT."</p>   | <p>This amendment removes the Director of Finance's authority to estimate the surcharge amount owed in the event of nonpayment and failure to keep records of the number of bags provided and replaces it with a fine for failing submit reports or to keep suitable records.</p>   |

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| 7. Baltimore Development Corporation | On page 8, in line 16, strike “5” and substitute “ <u>7</u> ”; and, on page 9, in line 7, strike “1 CENT” and substitute “ <u>5 CENTS</u> ”; and, in the same line, strike “5” and substitute “ <u>7</u> ”.  | This amendment would increase the surcharge to 7 cents per bag and allow dealers to retain 5 cents of the surcharge for each bag.  |
| 8. Baltimore Development Corporation | On page 4, strike lines 20 through 25 in their entirety and substitute:<br><br><b>“§§ 62-5 TO 62-6. {RESERVED}”</b>  | This amendment would prohibit providing plastic bags for voucher or electronic benefits purchases by eliminating the exemption for those purchases in the bill.              |
| 9. Baltimore Development Corporation | On page 3, in line 18, strike “THE RETAIL SALE OF GOODS” and substitute “ <u>ANY BUSINESS THAT INCLUDES THE RETAIL SALE OF FOOD ITEMS</u> ”; and, on that same page, in line 24, strike “SHOP;” and substitute “ <u>TAKE-OUT FOOD STORE; OR</u> ”; and, on that same page, strike line 25 and line 26 in their entirety and substitute “ <u>(E) OTHER FOOD SERVICE FACILITY HOLDING A LICENSE ISSUED BY THE COMMISSIONER OF HEALTH UNDER TITLE 6, SUBTITLE 2, OF THE HEALTH CODE OF BALTIMORE CITY.</u> ”.   | This amendment would make the bill inapplicable to most retailers who do not sell food items or hold a license issued by the Health Commissioner as food service facilities. |
| 10. Restaurant Association           | On page 7 line 16, before “CHECKOUT BAG” insert:<br><br><b><u>(I)</u></b><br><br>On page 8 after line 2, insert:<br><br><b><u>(II) “CHECKOUT BAG” DOES NOT INCLUDE:</u></b><br><b><u>(A) A PAPER BAG THAT A RESTAURANT WITH AN ON-PREMISE DINING AREA GIVES TO A CUSTOMER OR TO A DELIVERY SERVICE TO TAKE PREPARED OR LEFTOVER FOOD OR DRINK FROM THE RESTAURANT; OR</u></b><br><b><u>(B) A PAPER BAG THAT A RESTAURANT MAY OPT TO USE TO PROTECT FOOD BEFORE PLACING IT INTO A CUSTOMER-PROVIDED REUSABLE BAG.</u></b><br><br>On page 7 line 17 through page 8 line 2, change existing Roman numerals (I) through (XI) to <b><u>(A)</u></b> through <b><u>(K)</u></b> instead. | This amendment would exempt paper bags provided by restaurants with on-premise dining from the surcharge and make several technical changes.                                 |

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| 11. Lorenzo Bellamy/<br>American Forest and<br>Paper Association | Strike "PAPER OR" under the definition of "CHECKOUT BAG".  | This amendment would exclude paper bags from the surcharge.   |
| 12. Lorenzo Bellamy/<br>American Forest and<br>Paper Association | Striking Section 31.4 B(2) to eliminate the 1 cent retained by the Dealer.   | This amendment would require dealers to remit the entire surcharge to the Director of Finance, rather than retaining 1 cent for each bag.   |
| 13. Lorenzo Bellamy/<br>American Forest and<br>Paper Association | Insert language that provides Dealers to opt-in to the bag reduction program and Dealers must also have option of offering an incentive for consumers who bring their own bags. Dealers who offer the rebate are not required to charge the fee. | This amendment would give dealers the option of not participating in the bag reduction program and allow dealers to offer a rebate to consumers who bring their own bags instead of collecting the surcharge on bags provided to consumers. Note, it is not clear whether "bag reduction program" in the amendment is meant to include the prohibition and surcharge imposed by the bill, or the City's existing bag reduction program. |