



Prince George's County Group
Maryland Chapter
September 27, 2023

Committee: Transportation, Infrastructure, Energy, and Environment
Testimony on: CB-79-2023, Better Bag Bill - Revisions
Position: Oppose
Hearing Date: September 28, 2023

The Prince George's County Sierra Club commends TIEE Committee members and the County Council for passing the Better Bag Bill in June. The Bill and current plans for its rollout are premised on significant efforts to achieve participation by shoppers at all income levels in transitioning away from single-use waste to use of reusable carryout bags. CB-79-2023 would significantly reduce participation in and environmental benefits from the program by exempting shoppers using SNAP or WIC benefits from all bag charges, and by capping the charge on carryout bags at 10 cents. We are also concerned that making major changes to the program so close to its start date with the rollout preparations already underway will send mixed and confusing messages to the public and businesses. We recommend postponing any amendments until the Better Bag Bill is fully implemented and evaluated, at which time it can be amended based on evidence.

It's critically important not to leave anyone behind in adopting environmental policies, especially in low-income communities that are often most impacted by environmental threats. The Better Bag Bill and the planned rollout by DOE adopt an inclusive approach that aims to make sure that all shoppers, including low-income shoppers, have the information and access to reusable bags to participate, and avoid having to purchase any carryout bags. This includes:

- An education and outreach campaign to the public and businesses before and during implementation
- Signage in English and Spanish at each point of sale and at store entrances
- Distribution of reusable bags to 80,000 households participating in SNAP, and to other low-income residents at various events
- A week every year in which retailers may promote free reusable bags

This inclusive approach has also been adopted by College Park, Greenbelt, and Laurel and all other Maryland jurisdictions with similar bills.¹ It leaves no one behind – everyone has the opportunity to participate and, by bringing a bag or not taking one, few will have to purchase a bag. It reaches out to all low-income shoppers, not exclusively those paying with SNAP or WIC benefits. We believe that this inclusive approach will lead to better and more equitable outcomes than a policy with exemptions, and recommend that it be given an opportunity to work before amendments are considered.

¹Anne Arundel County, Baltimore City, Baltimore County, Centreville, Easton, and Salisbury. See the websites for bills in [College Park](#) and [Baltimore County](#), aimed at reaching low-income shoppers. No Maryland jurisdictions, including Montgomery County and Howard County, which impose a 5-cent tax on plastic and/or paper carryout bags, have exempted SNAP/WIC shoppers.

Exemption of shoppers from carryout bag costs would reduce the incentive to switch to reusable bags and present major logistical and communications challenges. “Keep it simple” is an important principle for getting buy-in and cooperation from the public and businesses. The proposed exemption policy is substantially more complex than it may appear: it would exempt SNAP and WIC shoppers from bag charges at food stores, but not at stores that do not sell food (hardware stores, clothing stores, book stores, etc.), where electronic benefits cannot be used. It would not apply to retailers in College Park, Greenbelt, or Laurel, or other jurisdictions in Maryland, none of which have adopted these exemptions.² This is likely to confuse both shoppers and retailers. Stores like Aldi, Lidl, and MOMs, which already charge for carryout bags as part of their business model, will be compelled to offer complimentary paper and reusable bags, reducing their current high rates of reusable bag and no-bag use.³

Capping the price of paper and reusable bags at 10 cents would prevent retailers from charging the full cost of the bags they provide, reduce the incentive for shoppers to bring a bag, and raise overhead that is borne by all shoppers. If the price for reusable carryout bags is capped at 10 cents, retailers may opt not to sell them at all, reducing their availability and undermining outcomes. Exempting SNAP and WIC shoppers from charges for reusable bags risks that unintended consequence – lower availability of reusable bags.

Finally, last-minute major amendments to the Better Bag Bill just before it goes into effect will compromise the rollout and messages already under way. The proposed amendments are significant and would require changing the messages that will already have been sent to the public and to retailers, only two months before the bill goes into effect. Retailers would need to adopt technology to allow them to exempt SNAP and WIC shoppers from charges discreetly, without stigma, and to train checkout staff in its use. The appropriate time for amending the Better Bag Bill is after it has been implemented and the results have been evaluated, at which all fixes can be adopted in one take.

Irrespective of your decision on CB-79-2023, the Sierra Club pledges to remain involved in the rollout and implementation of the Better Bag Bill in collaboration with DOE. We have purchased reusable bags for distribution to those in need and will be organizing volunteers to educate retailers, monitor their compliance, and measure the impact of the bill on shopper behavior via observational shopper surveys.

Janet Gingold, Chair
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Executive Committee

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Zero Waste Team

² Exemptions of SNAP and WIC shoppers from bag charges have been adopted in other states, but they are the exception, not the rule (see **Exhibit 1**). None of the other jurisdictions in Maryland have exempted shoppers from bag charges. Experience in Laurel indicates that without a charge for paper bags, there’s very little uptake of reusable bags. Their plastic bag ban with out a charge for paper bags increased reusable bag use from 5% to only 14% of shoppers, while the share of shoppers taking complimentary bags rose from <1% to 68%. This is what can be expected for shoppers exempted from paying for paper bags.

³ At Aldi and Lidl stores in Prince George’s County (2019), where all bags cost, 48% of shoppers bring their own bag and 46% leave the store with unbagged merchandise (13 stores, 1,550 shoppers). These extraordinary results will likely drop significantly if the stores are compelled to provide carryout bags at no charge to a significant share of their customers.

Exhibit 1:

Distribution of states and Maryland jurisdictions according to their policy on exemption of SNAP/WIC shoppers from carryout bag taxes or charges kept by the retailer

Exemption policy for customers	State	Maryland jurisdictions
SNAP/WIC customers are exempted from paying the store for a bag	California Washington state	--
SNAP/WIC customers are exempted from paying a bag <u>tax</u>, but not from paying for a bag if the store charges for them	Colorado New York	--
No mandatory exemptions for customers from charges or taxes for carryout bags	Connecticut Honolulu County, Hawaii ^a Maine Oregon ^b Vermont Virginia	Anne Arundel County <i>Baltimore City^c</i> Baltimore County ^c <i>Howard County</i> <i>Montgomery County</i> Prince George's County Centreville <i>College Park</i> <i>Easton</i> Greenbelt <i>Salisbury</i>

Notes: a. Hawaii has a de facto statewide plastic bag ban by virtue of bans passed in each county; Honolulu County is the only one that requires a charge for paper bags (15 cents). b. In Oregon, retailers may exempt shoppers using SNAP/WIC benefits for payment of carryout bag charges, at their discretion. c. The Baltimore City and Baltimore County Bring Your Own Bag bills had SNAP/WIC exemptions in the first draft of the bills, but they were amended out before the final bills were approved.

The Maryland bills that are already in effect are italicized. The bill in Baltimore County starts on November 1, 2023; the Anne Arundel, Prince George's, Centreville, and Greenbelt bills go into effect on January 1, 2024.