



General Assembly

February Session, 2016

Raised Bill No. 226

LCO No. 1805



Referred to Committee on ENVIRONMENT

Introduced by:
(ENV)

AN ACT CONCERNING SINGLE-USE CARRYOUT BAGS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 22a-255e of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective July 1, 2016*):

3 [On and after January 1, 1990, each retail establishment which offers
4 plastic bags to customers for goods purchased at such establishment
5 shall offer paper bags to customers and inform customers that a choice
6 is available. The provisions of this section shall not be construed to
7 require retail establishments to use plastic bags.] (a) For purposes of
8 this section:

9 (1) "Compostable bag" means a bag capable of being subjected to a
10 process of accelerated biological decomposition of organic material
11 under controlled conditions and that, at a minimum, meets the
12 American Society for Testing and Materials (ASTM) International
13 Standard Specification for Compostable Plastics D6400, as updated.

14 (2) "Postconsumer recycled material" means a material that is

15 destined for solid waste disposal because of the completion of such
16 material's intended end use and product life cycle. "Postconsumer
17 recycled material" does not include materials and byproducts
18 generated from, and commonly reused within, an original
19 manufacturing and fabrication process.

20 (3) "Reusable bag" means a bag that is provided or sold by a store to
21 a customer at the point of sale that customarily has a handle, is
22 designed for numerous reuses, is machine washable or made from a
23 material that can be cleaned or disinfected, if made of durable plastic,
24 is not less than 2.25 mils thick, and does not contain lead, cadmium or
25 any other toxic material that may pose a threat to public health.

26 (4) "Single-use carryout bag" means a bag made of plastic that is
27 provided by a store to a customer at the point of sale and that is not a
28 one hundred per cent recyclable bag, a compostable bag or a reusable
29 bag. "Single-use carryout bag" does not include any of the following:
30 (A) A bag provided by a pharmacy to a customer purchasing a
31 prescription medication, (B) a nonhandled bag used to protect a
32 purchased item from damaging or contaminating other purchased
33 items when placed in a one hundred per cent recyclable bag, a
34 compostable bag or a reusable bag, (C) a bag provided to contain an
35 unwrapped food item, (D) a nonhandled bag that is designed to be
36 placed over: (i) Articles of clothing on a hanger, or (ii) a newspaper.

37 (5) "Store" means a retail establishment that meets any of the
38 following requirements: (A) Is a full-line, self-service retail store with
39 gross annual sales of two million dollars or more and that sells a line of
40 dry groceries, canned goods or nonfood items and some perishable
41 items, (B) contains not less than ten thousand square feet of retail space
42 that generates sales or use tax in accordance with title 12 of the general
43 statutes, (C) is a convenience food store, foodmart or other entity that
44 is engaged in the retail sale of a limited line of goods, generally
45 including milk, bread, soda and snack foods, or (D) is a convenience
46 food store, foodmart or other entity that is engaged in the retail sale of

47 goods intended to be consumed off the premises.

48 (b) Not later than July 1, 2018, fifty per cent of the single use
49 carryout bags provided by stores to customers for no cost at the point
50 of sale shall be one hundred per cent recyclable, consist of not less than
51 eighty per cent post-consumer recycled materials, have a handle and
52 be designed and manufactured for multiple reuses.

53 (c) Not later than July 1, 2020, one hundred per cent of the single use
54 carryout bags provided by stores to customers for no cost at the point
55 of sale shall be one hundred per cent recyclable, consist of not less than
56 eighty per cent post-consumer recycled materials, have a handle and
57 be designed and manufactured for multiple reuses.

58 (d) Not later than January 1, 2017, the Commissioner of Energy and
59 Environmental Protection shall enter into a memorandum of
60 understanding with representatives of the grocery and retail industries
61 that will assist in reducing the environmental impacts of paper and
62 plastic single-use carryout bags by establishing commitments for said
63 department and industries that will: (1) Work toward a fifty per cent
64 reduction goal in the distribution of paper bags and single-use
65 carryout bags in the state by 2021 while employing performance
66 targets that assure the accomplishment of such reduction by 2021 and
67 parameters that verify such reduction, (2) establish incentives to
68 encourage a reduction in the demand for such bags and increase use of
69 reusable bags by consumers in the state, (3) establish single-use
70 carryout bag and other plastic packaging recycling programs at all
71 participating supermarkets, grocery stores and retailers, and (4)
72 increase the recycled content and percentage of recyclable,
73 biodegradable and compostable bags offered for distribution by such
74 industries.

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2016	22a-255e

Statement of Purpose:

To require a phased-in transition to one hundred per cent recyclable single-use carryout bags that contain not less than eighty per cent post-consumer recycled materials and to require the Department of Energy and Environmental Protection to enter into a memorandum of understanding with the grocery and retail industries that provides for a fifty per cent reduction in the distribution of paper bags and plastic single-use carryout bags by 2021.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]