



General Assembly

Amendment

February Session, 2016

LCO No. 4189



Offered by:

SEN. KENNEDY, 12th Dist.

SEN. CHAPIN, 30th Dist.

REP. ALBIS, 99th Dist.

REP. SHABAN, 135th Dist.

To: Subst. Senate Bill No. 226

File No. 371

Cal. No. 258

"AN ACT CONCERNING SINGLE-USE CARRYOUT BAGS."

1 Strike everything after the enacting clause and substitute the
2 following in lieu thereof:

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 Section 22a-255e of the general statutes is repealed and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

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

10 (a) For purposes of this section:

11 (1) "Compostable bag" means a bag capable of being subjected to a
12 process of accelerated biological decomposition of organic material

13 under controlled conditions and that, at a minimum, meets the ASTM
14 International Standard Specification for Compostable Plastics D6400,
15 as updated.

16 (2) "Postconsumer or postindustrial recycled material" means a
17 material that is destined for solid waste disposal because of the
18 completion of such material's intended end use and product life cycle.
19 "Postconsumer recycled material" does not include materials and
20 byproducts generated from, and commonly reused within, an original
21 manufacturing and fabrication process.

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

28 (4) "Single-use carryout bag" means a bag made of plastic that is
29 provided by a store to a customer at the point of sale and that is not a
30 compostable bag or a reusable bag. "Single-use carryout bag" does not
31 include any of the following: (A) A bag provided by a pharmacy to a
32 customer purchasing a prescription medication, (B) a nonhandled bag
33 used to protect a purchased item from damaging or contaminating
34 other purchased items, (C) a bag provided to contain an unwrapped
35 food item, or (D) a nonhandled bag that is designed to be placed over:
36 (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, (C) is a
43 convenience food store, foodmart or other entity that is engaged in the
44 retail sale of a limited line of goods, generally including milk, bread,

45 soda and snack foods, or (D) is a convenience food store, foodmart or
46 other entity that is engaged in the retail sale of goods intended to be
47 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 at the point of sale shall
50 be one hundred per cent recyclable, consist of not less than twenty-five
51 per cent postconsumer or postindustrial recycled materials, have a
52 handle and be designed and manufactured for multiple reuses.

53 (c) Not later than July 1, 2020, one hundred per cent of the single-
54 use carryout bags provided by stores to customers at the point of sale
55 shall be one hundred per cent recyclable, consist of not less than
56 twenty-five per cent postconsumer or postindustrial recycled
57 materials, have a handle and be designed and manufactured for
58 multiple reuses.

59 (d) Not later than January 1, 2017, the Commissioner of Energy and
60 Environmental Protection and the Connecticut Retail Merchants
61 Association and the Connecticut Food Association shall enter into a
62 memorandum of understanding that will assist in reducing the
63 environmental impacts of paper and plastic single-use carryout bags,
64 without any additional cost to consumers that is attributable to such
65 reduction, by establishing commitments for said department and
66 members of such associations that will: (1) Work toward a thirty-three
67 per cent reduction goal in the distribution to consumers of paper bags
68 and single-use carryout bags in the state by 2021 while employing
69 performance targets that assure the accomplishment of such reduction
70 by 2021 and parameters that verify such reduction, (2) establish
71 incentives to encourage a reduction in the demand for such bags and
72 increase use of reusable bags by consumers in the state, (3) establish
73 single-use carryout bag and other plastic packaging recycling
74 programs at all participating supermarkets, grocery stores and
75 retailers, and (4) increase the postconsumer recycled content of such
76 paper and single-use carryout bags and the percentage of
77 biodegradable and compostable bags offered for distribution to

78 consumers by members of such associations."

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