
OLR Bill Analysis

SB 1003

AN ACT CONCERNING THE USE OF SINGLE-USE PLASTIC AND PAPER BAGS.

SUMMARY

This bill, beginning January 1, 2020, does the following:

1. prohibits stores from providing or selling to customers plastic single-use carryout bags at the point of sale and
2. requires any paper single-use carryout bag that a store provides to a customer to be 100% recyclable, have at least 40% post-consumer recycled content, and conspicuously display "Please Reuse and Recycle This Bag" on the bag.

The bill provides municipalities, health districts, and the departments of consumer protection and energy and environmental protection the authority to enforce its requirements.

It subjects a store owner or operator who violates the requirements to a warning for a first violation. Second and subsequent violations are subject to \$250 fines, but an owner or operator can only be fined once in a 7-day period. The bill requires half of any fine imposed by a municipality or health district to be kept by the municipality where the violation occurred.

The bill allows municipalities to enact or enforce a municipal ordinance on plastic single-use carryout bags as long as it is at least as restrictive as the bill's requirements.

EFFECTIVE DATE: Upon passage

SCOPE OF THE BAN

Single-Use Carryout Bag

Under the bill, a “single-use carryout bag” is a bag made of plastic, paper or other material that (1) a store provides to a customer at the point of sale, generally without a fee, and (2) is not 100% recyclable.

Exempt Bags

The bill exempts the following bags from its ban:

1. those provided by a pharmacy to a customer purchasing a prescription medication;
2. nonhandled bags used to (a) contain a purchased item or (b) protect a purchased item from damaging or contaminating other purchased items when placed in a paper single-use carryout bag, reusable carryout bag, or a bag a customer brings to a store for his or her own use;
3. those to contain an unwrapped food item; and
4. nonhandled bags that are meant to be placed over (a) clothing articles on a hanger or (b) newspapers.

Under the bill, a reusable carryout bag is a bag with handles that is specifically designed and manufactured for multiple reuses and is made of cloth, fiber, other machine washable fabric, or durable plastic with a thickness of at least 12 mils.

Stores Affected

The bill’s requirements apply to the following retail establishments:

1. full-line, self-service stores with gross annual sales of at least \$2 million and that sell a line of dry groceries, canned goods or nonfood items, and some perishable items;
2. those with at least 10,000 square feet of retail space that generates sales or use tax; and
3. convenience food stores, foodmarts, or other entities engaged in the retail sale of (a) a limited line of goods, generally including milk, bread, soda, and snacks or (b) goods intended for off-

premises consumption.

COMMITTEE ACTION

Environment Committee

Joint Favorable

Yea 25 Nay 4 (03/25/2019)