AN ACT REQUIRING THE ELIMINATION OF SINGLE-USE STYROFOAM CONTAINERS.

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

Section 1. (NEW) (Effective January 1, 2021) (a) For purposes of this section:

(1) "Consumer" means any business invitee of a food establishment;

(2) "Food establishment" has the same meaning as provided in section 19a-36g of the general statutes;

(3) "Expanded polystyrene" means blown polystyrene and expanded and extruded foams that are thermoplastic petrochemical materials utilizing a styrene monomer and processed by any number of techniques including, but not limited to, fusion of polymer spheres, injection molding, foam molding and extrusion-blown molding; and

(4) "Single-use container" means any container made of expanded polystyrene intended for the containment of food provided by a food establishment to a consumer and customarily disposed of by the consumer after such use.

(b) (1) No owner or operator of a food establishment shall provide or distribute a single-use container to a consumer.

(2) Any owner or operator who violates the provisions of this
section shall be fined two hundred fifty dollars for the first violation, five hundred dollars for a second violation and one thousand dollars for a third or any subsequent violation.

(c) The provisions of this section shall not be construed to prohibit the provision or distribution of a single-use container that is: (1) Filled and sealed prior to receipt by a food establishment and that is subsequently sold to a consumer, or (2) utilized by a butcher or store to contain raw meat, including, but not limited to, beef, poultry, seafood or pork that is sold to a consumer.

(d) Any local health department or health district or agent of the Departments of Public Health, Consumer Protection and Energy and Environmental Protection may enforce the provisions of this section. In the event of enforcement by a local health department or health district, one-half of any fine imposed pursuant to this section shall be remitted to the municipality where such violation occurred.

(e) Not later than February 1, 2022, the Commissioners of Public Health, Consumer Protection and Energy and Environmental Protection shall jointly submit a report, in accordance with the provisions of section 11-4a of the general statutes, to the joint standing committees of the General Assembly having cognizance of matters relating to the environment, public health and consumer protection on the enforcement of the provisions of this section and the need to establish a hardship waiver from the provisions of this section for any food establishment with a demonstrated financial hardship directly caused by the provisions of this section.

This act shall take effect as follows and shall amend the following sections:

| Section 1 | January 1, 2021 | New section |

**ENV** Joint Favorable Subst.