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

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

1 Section 1. (NEW) (Effective from passage) (a) For the purposes of this section:

3 (1) "Single-use carryout bag" means a bag made of plastic, paper or other material that is provided by a store to a customer at the point of sale, customarily without a fee, and that is not one hundred per cent recyclable. "Single-use carryout bag" does not include any of the following: (A) A bag provided by a pharmacy to a customer purchasing a prescription medication, (B) a nonhandled bag used to contain a purchased item or to protect a purchased item from damaging or contaminating other purchased items when placed in a reusable carryout bag or a single-use carryout bag made of paper, in accordance with the provisions of this section, or a bag brought by a customer at a store for the customer's own use, (C) a bag provided to contain an unwrapped food item, or (D) a nonhandled bag that is designed to be placed over: (i) Articles of clothing on a hanger, or (ii) a
newspaper.

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

(3) "Reusable carryout bag" means 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 that is at least twelve mils thick.

(b) (1) On and after January 1, 2020, no store shall provide or sell to any customer at the point of sale a single-use carryout bag that is made of plastic. In the event that a store provides a customer with a single-use carryout bag made of paper after January 1, 2020, such bag shall be one hundred per cent recyclable, contain a minimum of forty per cent post-consumer recycled content and conspicuously display the following phrase on such bag: "Please Reuse and Recycle This Bag".

(2) Any owner or operator of a store who violates the provisions of this section shall be issued a warning for a first violation and shall be fined two hundred fifty dollars for a second or any subsequent violation, provided no such fine shall be assessed against any such owner or operator more than once in a seven-day period. The provisions of this section may be enforced by any municipality or health district and any agent of the Departments of Consumer Protection and Energy and Environmental Protection. One-half of any fine imposed by a municipality or health district shall be retained by
the municipality where such violation occurred.

(c) Nothing in this section shall be construed to prohibit a municipality from enacting or enforcing an ordinance concerning single-use carryout bags made of plastic, provided such ordinance is as restrictive or more restrictive concerning the provision or selling of such bags to customers by stores.

| Section 1 | from passage | New section |

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

Statement of Purpose:
To reduce the use of single-use plastic bags in the state.

[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.]