



General Assembly

Amendment

January Session, 2019

LCO No. 9198



Offered by:

REP. DEMICCO, 21st Dist.
REP. GRESKO, 121st Dist.
REP. HARDING, 107th Dist.

To: Subst. House Bill No. 5384

File No. 648

Cal. No. 393

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

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

3 "Section 1. (NEW) (*Effective July 1, 2021*) (a) For purposes of this
4 section:

5 (1) "Consumer" means any business invitee of a restaurant or
6 caterer;

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

12 (3) "Single-use container" means any container made of expanded

13 polystyrene intended for the containment of food or beverage
14 provided by a restaurant or caterer to a consumer and customarily
15 disposed of by the consumer after such use;

16 (4) "Restaurant" has the same meaning as provided in subsection (b)
17 of section 19a-342 of the general statutes; and

18 (5) "Caterer" has the same meaning as "catering food service
19 establishment", as provided in section 19a-36g of the general statutes.

20 (b) (1) No owner or operator of a restaurant or catering business
21 shall provide or distribute a single-use container to a consumer.

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

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

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

38 (e) Not later than February 1, 2022, the Commissioners of Public
39 Health, Consumer Protection and Energy and Environmental
40 Protection shall jointly submit a report, in accordance with the
41 provisions of section 11-4a of the general statutes, to the joint standing
42 committees of the General Assembly having cognizance of matters

43 relating to the environment, public health and consumer protection on
 44 the enforcement of the provisions of this section and the need to
 45 establish a hardship waiver from the provisions of this section for any
 46 restaurant or caterer with a demonstrated financial hardship directly
 47 caused by the provisions of this section.

48 (f) Nothing in this section shall be construed to prohibit the
 49 manufacture of single-use containers in this state or the sale of such
 50 single-use containers by a person other than a restaurant or caterer."

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2021	New section