



General Assembly

Amendment

January Session, 2019

LCO No. 10618



Offered by:

REP. ARESIMOWICZ, 30th Dist.
REP. RITTER M., 1st Dist.
SEN. LOONEY, 11th Dist.

SEN. DUFF, 25th Dist.
REP. DEMICCO, 21st Dist.
SEN. COHEN, 12th Dist.

To: House Bill No. 7424

File No.

Cal. No.

"AN ACT CONCERNING THE STATE BUDGET FOR THE BIENNIUM ENDING JUNE THIRTIETH, 2021, AND MAKING APPROPRIATIONS THEREFOR, AND IMPLEMENTING PROVISIONS OF THE BUDGET."

1 Strike section 355 in its entirety and insert the following in lieu
2 thereof:

3 "Sec. 355. (NEW) (*Effective August 1, 2019*) (a) As used in this section:

4 (1) "Single-use checkout bag" means a plastic bag with a thickness of
5 less than four mils that is provided by a store to a customer at the point
6 of sale. "Single-use checkout bag" does not include: (A) A bag provided
7 to contain meat, seafood, loose produce or other unwrapped food
8 items; (B) a newspaper bag; or (C) a laundry or dry cleaning bag;

9 (2) "Store" means any retailer, as defined in section 12-407 of the
10 general statutes, that maintains a retail store within the state and sells
11 tangible personal property directly to the public.

12 (b) (1) For the period commencing August 1, 2019, and ending June
13 30, 2021, each store shall charge a fee of ten cents for each single-use
14 checkout bag provided to a customer at the point of sale. The store
15 shall indicate the number of single-use checkout bags provided and
16 the total amount of the fee charged on any transaction receipt provided
17 to a customer. Any fees collected pursuant to this subsection shall be
18 excluded from gross receipts under chapter 219 of the general statutes.

19 (2) Each store shall report all fees collected pursuant to subdivision
20 (1) of this subsection to the Commissioner of Revenue Services with its
21 return due under section 12-414 of the general statutes and remit
22 payment at the same time and in the same form and manner required
23 under section 12-414 of the general statutes.

24 (3) Any fees due and unpaid under this subsection shall be subject
25 to the penalties and interest established under section 12-419 of the
26 general statutes and the amount of such fee, penalty or interest, due
27 and unpaid, may be collected under the provisions of section 12-35 of
28 the general statutes as if they were taxes due to the state.

29 (4) The provisions of sections 12-415, 12-416 and 12-421 to 12-428,
30 inclusive, of the general statutes shall apply to the provisions of this
31 section in the same manner and with the same force and effect as if the
32 language of said sections had been incorporated in full into this section
33 and had expressly referred to the fee imposed under this section,
34 except to the extent that any such provision is inconsistent with a
35 provision of this section.

36 (5) The Commissioner of Revenue Services, in consultation with the
37 Commissioner of Energy and Environmental Protection, may adopt
38 regulations in accordance with the provisions of chapter 54 of the
39 general statutes, to carry out the provisions of this section.

40 (6) At the close of each of the fiscal years ending June 30, 2020, and
41 June 30, 2021, the Comptroller is authorized to record as revenue for
42 such fiscal year the amount of the fee imposed under the provisions of
43 this section that is received by the Commissioner of Revenue Services

44 not later than five business days from the last day of July immediately
45 following the end of such fiscal year.

46 (c) On and after July 1, 2021, no owner or operator of a store shall
47 provide or sell a single-use checkout bag to a customer.

48 (d) Nothing in this section shall be construed to prohibit a
49 municipality from enacting or enforcing an ordinance concerning
50 single-use checkout bags made of plastic, provided such ordinance is
51 as restrictive or more restrictive as the provisions of this section
52 concerning the provision or selling of such bags to customers by stores.
53 Nothing in this section shall be construed to prohibit a municipality
54 from enacting or enforcing an ordinance concerning single-use
55 checkout bags made of paper, including, but not limited to, enabling
56 each store to charge a fee for any such bag distributed to a customer."