Bill No.: HB-5092
AN ACT PROHIBITING THE DISTRIBUTION OF UNSOLICITED MARKETING FLYERS TO HOMES.

Vote Date: 2/25/2019
Vote Action: Joint Favorable Substitute
PH Date: 2/4/2019
File No.: 48

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SPONSORS OF BILL:

Rep. David Michel, 146th Dist.

REASONS FOR BILL:

There have been growing concerns over the delivery of unsolicited marketing flyers. Such flyers are often uncollected by residents at their home. When left unattended, unsolicited marketing flyers pollute/litter the local community, wash into and block storm drains, and may attract unwarranted attention to vacant homes.

Substitute Language – Committee Amendment A
The bill was amended in committee to exclude “mailbox” from the list of structures and places that are used to define “premises” for the purpose of the bill. The intent of the bill is to address the littering and distribution of unsolicited marketing flyers placed or thrown onto residential yards and driveways.

RESPONSE FROM ADMINISTRATION/AGENCY:

State of Connecticut Judicial Branch, External Affairs Division: Provided comment on the bill. If the bill seeks to retain the fine by the municipality, the bill should clarify this intent and include a process for contesting the fine at the municipal level. However, if the intent is to establish a fine payable to the Central Infractions Bureau of the Judicial Branch (CIB), the offense should be added to Section 51-164n of the Connecticut General Statues. Additionally, establishing a fine payable to the CIB would require the Judicial Branch to
identify all such offenses so that the fine can be remitted to the municipality, resulting in additional steps and costs to the process.

**NATURE AND SOURCES OF SUPPORT:**

**Andrew Carrs:** Shared personal testimony in regards to the negative impact of unsolicited marking flyers in the local community, and shared photographs of the litter and environmental impact of such flyers. Among other examples, unsolicited flyers (1) are thrown onto private property, (2) wrapped in non-biodegradable bags, (3) not based on any subscriptions, (4) commonly blown around the neighborhood and left in yards to pile up, and (5) flow directly into storm drains and waterways.

**Representative Ben McGorty, 112nd Assembly District:** The intent of the bill is to prevent litter, the blockage of catch basins, and limit sales solicitations. Unsolicited marketing flyers can attract vandals, and end up in storm basins which can cause flooding problems.

**NATURE AND SOURCES OF OPPOSITION:**

**Andrew S. Julien, Publisher & Editor-in-Chief/Hartford, Courant Media Group:** This bill could have a chilling effect on the ability of newspaper companies to do their job. Section D of the bill presents a concern in that the language of the bill is broad and includes anything that is “reasonably perceived as an advertisement.” Concern is shared as to what entity or person would make such determination.

**Shawn Palmer, President, Connecticut Daily Newspapers Association:** Newspapers in Connecticut deliver tens of thousands of packages containing news and advertising to homes across the state daily. These packages are appreciated and anticipated by readers because of the great value of coupons and other savings inside; providing a value for the readers and a benefit for the advertisers. Newspapers provide an opt-out phone number in every package, and stop delivery to an address when called or when two previously delivered packages are not retrieved.

**Reported by:** Pamela Bianca / Ussawin R. Bumpen  Date: 03/13/2019