



General Assembly

Amendment

January Session, 2019

LCO No. 8165



Offered by:
SEN. SOMERS, 18th Dist.

To: Senate Bill No. 1003

File No. 636

Cal. No. 305

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

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

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

5 (1) "Single-use carryout bag" means a bag made of plastic, paper or
6 other material that is provided by a store to a customer at the point of
7 sale, customarily without a fee, and that is not one hundred per cent
8 recyclable. "Single-use carryout bag" does not include any of the
9 following: (A) A bag provided by a pharmacy to a customer
10 purchasing a prescription medication, (B) a nonhandled bag used to
11 contain a purchased item or to protect a purchased item from
12 damaging or contaminating other purchased items when placed in a
13 reusable carryout bag or a single-use carryout bag made of paper, in
14 accordance with the provisions of this section, or a bag brought by a
15 customer at a store for the customer's own use, (C) a bag provided to

16 contain an unwrapped food item, (D) a nonhandled bag that is
17 designed to be placed over: (i) Articles of clothing on a hanger, or (ii) a
18 newspaper, or (E) a certified compostable bag that is nonhandled or
19 that has handles.

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

31 (3) "Reusable carryout bag" means a bag with handles that is
32 specifically designed and manufactured for multiple reuses and is
33 made of cloth, fiber, other machine washable fabric, or durable plastic
34 that is at least twelve mils thick.

35 (4) "Certified compostable bag" means a bag that meets the ASTM
36 D6400 standard, is certified as compostable by the Biodegradable
37 Products Institute, is certified as home compostable by TUV
38 Compostable Home Certification, displays such certification seals,
39 contains a minimum of forty per cent plant-sourced renewable content
40 and is green or brown in color.

41 (b) (1) On and after January 1, 2020, no store shall provide or sell to
42 any customer at the point of sale a single-use carryout bag that is made
43 of plastic. On and after January 1, 2020, any single-use carryout bag
44 provided by a store or sold by a store to a customer shall be either a
45 single-use carryout bag made of paper, one hundred per cent
46 recyclable, contain a minimum of forty per cent post-consumer
47 recycled content and conspicuously display the following phrase on

48 such bag: "Please Reuse and Recycle This Bag" or shall be a certified
49 compostable bag.

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

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

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	New section