



General Assembly

Amendment

January Session, 2019

LCO No. 9935



Offered by:

SEN. COHEN, 12th Dist.
SEN. KUSHNER, 24th Dist.
SEN. HASKELL, 26th Dist.

SEN. BERGSTEIN, 36th Dist.
REP. DEMICCO, 21st Dist.
REP. GRESKO, 121st 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, or (D) a nonhandled bag that is
17 designed to be placed over: (i) Articles of clothing on a hanger, or (ii) a
18 newspaper.

19 (2) "Store" means any retailer, as defined in section 12-407 of the
20 general statutes, or any subsidiary thereof, that maintains a retail store
21 within the state and that sells tangible personal property including, but
22 not limited to, groceries, directly to the public.

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

27 (b) (1) On and after July 1, 2021, no store shall provide or sell to any
28 customer at the point of sale a single-use carryout bag that is made of
29 plastic. In the event that a store provides a customer with a single-use
30 carryout bag made of paper after July 1, 2021, such bag shall be one
31 hundred per cent recyclable, contain a minimum of forty per cent post-
32 consumer recycled content and conspicuously display the following
33 phrase on such bag: "Please Reuse and Recycle This Bag".

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

44 (c) Nothing in this section shall be construed to prohibit a
45 municipality from enacting or enforcing an ordinance concerning

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