



General Assembly

Amendment

January Session, 2019

LCO No. 10238



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. "Single-use carryout bag" does not
8 include any of the following: (A) A bag provided by a pharmacy to a
9 customer purchasing a prescription medication, (B) a nonhandled bag
10 used to contain a purchased item or to protect a purchased item from
11 damaging or contaminating other purchased items when placed in a
12 reusable carryout bag or a single-use carryout bag made of paper, in
13 accordance with the provisions of this section, or a bag brought by a

14 customer at a store for the customer's own use, (C) a bag provided to
15 contain an unwrapped food item, or (D) a nonhandled bag that is
16 designed to be placed over: (i) Articles of clothing on a hanger, or (ii) a
17 newspaper.

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

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

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

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

43 (c) Nothing in this section shall be construed to prohibit a
44 municipality from enacting or enforcing an ordinance concerning
45 single-use carryout bags made of plastic, provided such ordinance is as

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