



General Assembly

Amendment

January Session, 2019

LCO No. 10371



Offered by:
SEN. SOMERS, 18th Dist.

To: Senate Bill No. 1003

File No. 636

Cal. No. 305

(As Amended by Senate Amendment Schedule "A")

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

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

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

34 (b) (1) On and after January 1, 2020, no store shall provide or sell to
35 any customer at the point of sale a single-use carryout bag that is made
36 of plastic. On and after January 1, 2020, any single-use carryout bag
37 provided by a store or sold by a store to a customer shall be either a
38 single-use carryout bag made of paper, one hundred per cent
39 recyclable, contain a minimum of forty per cent post-consumer
40 recycled content and conspicuously display the following phrase on
41 such bag: "Please Reuse and Recycle This Bag" or shall be a certified
42 compostable bag.

43 (2) Any owner or operator of a store who violates the provisions of
44 this section shall be issued a warning for a first violation and shall be
45 fined two hundred fifty dollars for a second or any subsequent

46 violation, provided no such fine shall be assessed against any such
47 owner or operator more than once in a seven-day period. The
48 provisions of this section may be enforced by any municipality or
49 health district and any agent of the Departments of Consumer
50 Protection and Energy and Environmental Protection. One-half of any
51 fine imposed by a municipality or health district shall be retained by
52 the municipality where such violation occurred.

53 (c) Nothing in this section shall be construed to prohibit a
54 municipality from enacting or enforcing an ordinance concerning
55 single-use carryout bags made of plastic, provided such ordinance is as
56 restrictive or more restrictive concerning the provision or selling of
57 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