



General Assembly

**Amendment**

January Session, 2019

LCO No. 10990



Offered by:

REP. DEMICCO, 21<sup>st</sup> Dist.

REP. ARESIMOWICZ, 30<sup>th</sup> Dist.

To: Subst. House Bill No. 5385

File No. 552

Cal. No. 334

**"AN ACT REQUIRING THE ELIMINATION OF SINGLE-USE PLASTIC STRAWS."**

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

3 "Section 1. (NEW) (*Effective from passage*) The Commissioner of  
4 Energy and Environmental Protection, shall conduct a study on  
5 commercially available single-use checkout bags, as defined in section  
6 355 of house bill 7424 of the current session, that are also marketed as  
7 compostable bags. Upon certification by the commissioner that any  
8 such bag is, in fact, compostable, the commissioner may recommend to  
9 the joint standing committee of the General Assembly having  
10 cognizance of matters relating to the environment that any such bag  
11 not be subject to the July 1, 2021, distribution prohibition of section 355  
12 of house bill 7424 of the current session. For purposes of this section,  
13 "compostable" means a single-use carryout bag that: (1) Conforms to  
14 the American Society of Testing Materials (ASTM) standard D6400; (2)  
15 is certified and labeled as meeting the ASTM standard D6400

16 specification by an industry recognized verification entity; (3)  
 17 undergoes complete biodegradation and, in a compost site, such bag's  
 18 material components break down into carbon dioxide, water and  
 19 biomass at a rate consistent with other verified or certified  
 20 compostable materials; and (4) is certified as home compostable by the  
 21 TUV USA Inc. Compostable Home Certification, and displays such  
 22 certification seals, and contains a minimum of forty per cent plant-  
 23 sourced renewable content.

24 Sec. 2. (NEW) (*Effective October 1, 2021*) On and after October 1, 2021,  
 25 each grocery store that provides produce bags shall only provide  
 26 produce bags that the Secretary of the Office of Policy and  
 27 Management, in consultation with the Commissioner of Energy and  
 28 Environmental Protection, certifies as being compostable. For purposes  
 29 of this section, "compostable" means that a produce bag: (1) Conforms  
 30 to the American Society of Testing Materials (ASTM) standard D6400;  
 31 (2) is certified and labeled as meeting the ASTM standard D6400  
 32 specification by an industry recognized verification entity; (3)  
 33 undergoes biological decomposition in a compost site such that the  
 34 material breaks down into carbon dioxide, water, inorganic  
 35 compounds and biomass at a rate consistent with other certified or  
 36 verified compostable materials; and (4) is certified as home  
 37 compostable by the TUV USA, Inc. Compostable Home Certification  
 38 and displays such certification seals and contains a minimum of forty  
 39 per cent plant-sourced renewable content."

|   |                        |             |
|---|------------------------|-------------|
| This act shall take effect as follows and shall amend the following sections: |                        |             |
| Section 1   | <i>from passage</i>    | New section |
| Sec. 2  | <i>October 1, 2021</i> | New section |