



General Assembly

February Session, 2020

**Raised Bill No. 99**

LCO No. 785



Referred to Committee on ENVIRONMENT

Introduced by:  
(ENV)

***AN ACT CONCERNING THE USE AND DISTRIBUTION OF  
POLYSTYRENE PRODUCTS.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective from passage*) Not later than July 1, 2021,  
2 each school district, regional school district, regional vocational  
3 technical school and constituent unit of higher education shall develop  
4 a plan for discontinuing the use in such district, school or constituent  
5 unit, as applicable, of trays made from expanded polystyrene. Such plan  
6 shall require the district, school or constituent unit, as applicable, to  
7 discontinue such use not later than July 1, 2022, and to prepare for the  
8 termination or amendment of any contract for the purchase of such trays  
9 not later than July 1, 2021. Nothing in this section shall be construed to  
10 require the development of such plan in any school district, regional  
11 school district, regional vocational technical school or constituent unit  
12 of higher education that discontinues the use of such trays in such  
13 school district, school or constituent unit prior to July 1, 2021. For  
14 purposes of this section, "expanded polystyrene" means blown  
15 polystyrene and expanded and extruded foams that are thermoplastic  
16 petrochemical materials utilizing a styrene monomer and processed by

17 any number of techniques including, but not limited to, fusion of  
18 polymer spheres, injection molding, foam molding and extrusion-blown  
19 molding.

20 Sec. 2. (NEW) (*Effective July 1, 2022*) (a) For purposes of this section:

21 (1) "Consumer" means any business invitee of a restaurant or caterer;

22 (2) "Expanded polystyrene" means blown polystyrene and expanded  
23 and extruded foams that are thermoplastic petrochemical materials  
24 utilizing a styrene monomer and processed by any number of  
25 techniques including, but not limited to, fusion of polymer spheres,  
26 injection molding, foam molding and extrusion-blown molding;

27 (3) "Single-use container" means any container made of expanded  
28 polystyrene intended for the containment of food or beverage provided  
29 by a restaurant or caterer to a consumer and customarily disposed of by  
30 the consumer after such use;

31 (4) "Restaurant" has the same meaning as provided in subsection (b)  
32 of section 19a-342 of the general statutes; and

33 (5) "Caterer" has the same meaning as "catering food service  
34 establishment", as provided in section 19a-36g of the general statutes.

35 (b) (1) No owner or operator of a restaurant or catering business shall  
36 provide or distribute a single-use container to a consumer.

37 (2) Any owner or operator who violates the provisions of this section  
38 shall be fined two hundred fifty dollars for the first violation, five  
39 hundred dollars for a second violation and one thousand dollars for a  
40 third or any subsequent violation.

41 (c) The provisions of this section shall not be construed to prohibit the  
42 provision or distribution of a single-use container that is: (1) Filled and  
43 sealed prior to receipt by a restaurant or caterer and that is subsequently  
44 sold to a consumer, or (2) utilized by a butcher or store to contain raw

45 meat, including, but not limited to, beef, poultry, seafood or pork that is  
46 sold to a consumer.

47 (d) Any local health department or health district or agent of the  
48 Departments of Public Health, Consumer Protection and Energy and  
49 Environmental Protection may enforce the provisions of this section. In  
50 the event of enforcement by a local health department or health district,  
51 one-half of any fine imposed pursuant to this section shall be remitted  
52 to the municipality where such violation occurred.

53 (e) Not later than February 1, 2023, the Commissioners of Public  
54 Health, Consumer Protection and Energy and Environmental Protection  
55 shall jointly submit a report, in accordance with the provisions of section  
56 11-4a of the general statutes, to the joint standing committees of the  
57 General Assembly having cognizance of matters relating to the  
58 environment, public health and consumer protection on the  
59 enforcement of the provisions of this section and the need to establish a  
60 hardship waiver from the provisions of this section for any restaurant  
61 or caterer with a demonstrated financial hardship directly caused by the  
62 provisions of this section.

63 (f) Nothing in this section shall be construed to prohibit the  
64 manufacture of single-use containers in this state or the sale of such  
65 single-use containers by a person other than a restaurant or caterer.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	New section
Sec. 2	<i>July 1, 2022</i>	New section

**Statement of Purpose:**

To decrease the use of certain polystyrene products in the state.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*