AN ACT CONCERNING THE USE AND DISTRIBUTION OF POLYSTYRENE PRODUCTS.

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

Section 1. (NEW) (Effective from passage) Not later than July 1, 2021, each school district, regional school district, regional vocational technical school and constituent unit of higher education shall develop a plan for discontinuing the use in such district, school or constituent unit, as applicable, of trays made from expanded polystyrene. Such plan shall require the district, school or constituent unit, as applicable, to discontinue such use not later than July 1, 2022, and to prepare for the termination or amendment of any contract for the purchase of such trays not later than July 1, 2021. Nothing in this section shall be construed to require the development of such plan in any school district, regional school district, regional vocational technical school or constituent unit of higher education that discontinues the use of such trays in such school district, school or constituent unit prior to July 1, 2021. For purposes of this section, "expanded polystyrene" means blown polystyrene and expanded and extruded foams that are thermoplastic petrochemical materials utilizing a styrene monomer and processed by
any number of techniques including, but not limited to, fusion of polymer spheres, injection molding, foam molding and extrusion-blown molding.

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

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

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

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

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

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

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

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

(c) The provisions of this section shall not be construed to prohibit the provision or distribution of a single-use container that is: (1) Filled and sealed prior to receipt by a restaurant or caterer and that is subsequently sold to a consumer, or (2) utilized by a butcher or store to contain raw
meat, including, but not limited to, beef, poultry, seafood or pork that is
sold to a consumer.

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

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

(f) Nothing in this section shall be construed to prohibit the
manufacture of single-use containers in this state or the sale of such
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:

<table>
<thead>
<tr>
<th>Section 1</th>
<th>from passage</th>
<th>New section</th>
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<tbody>
<tr>
<td>Sec. 2</td>
<td>July 1, 2022</td>
<td>New section</td>
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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.]