



General Assembly

**Substitute Bill No. 6606**

January Session, 2023



**AN ACT CONCERNING THE USE OF CERTAIN PRODUCTS MADE FROM POLYSTYRENE.**

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, 2024,  
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, 2025, and to prepare for the  
8 termination or amendment of any contract for the purchase of such trays  
9 not later than July 1, 2024. 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, 2024. 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, 2024*) (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 a food or beverage  
29 provided by a restaurant or caterer to a consumer and customarily  
30 disposed of by 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 caterer shall provide  
36 or distribute a single-use container to a consumer.

37 (2) Any owner or operator who violates the provisions of this section  
38 for a first violation shall be issued a warning. Any owner or operator  
39 who violates the provisions of this section shall be fined two hundred  
40 dollars for a second violation, five hundred dollars for a third violation  
41 and one thousand dollars for a fourth or any subsequent violation. No  
42 such owner or operator may be issued more than one violation per day.

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

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

55 (e) Not later than February 1, 2025, the Commissioners of Public  
56 Health, Consumer Protection and Energy and Environmental Protection  
57 shall jointly submit a report, in accordance with the provisions of section  
58 11-4a of the general statutes, to the joint standing committees of the  
59 General Assembly having cognizance of matters relating to the  
60 environment, public health and consumer protection on the  
61 enforcement of the provisions of this section and the need to establish a  
62 hardship waiver from the provisions of this section for any restaurant  
63 or caterer with a demonstrated financial hardship directly caused by the  
64 provisions of this section.

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

68 (g) Nothing in this section shall be construed to preempt any  
69 municipal ordinance that is more restrictive than the provisions of this  
70 section concerning the provision or distribution of a single-use container  
71 by an owner or operator of a restaurant or caterer to a consumer.

72 (h) The provisions of subsection (b) of this section shall not be  
73 construed to apply to any patient care unit in a chronic disease hospital  
74 or rehabilitation facility.

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, 2024</i>	New section

**Statement of Legislative Commissioners:**

In Sections 2(b)(1) and 2(g), "catering business" was changed to "caterer" for consistency with the defined term.

**ENV**      *Joint Favorable Subst.*