



General Assembly

January Session, 2019

**Raised Bill No. 1003**

LCO No. 5319



Referred to Committee on ENVIRONMENT

Introduced by:  
(ENV)

**AN ACT CONCERNING THE USE OF SINGLE-USE PLASTIC AND PAPER BAGS.**

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

1 Section 1. (NEW) (*Effective from passage*) (a) For the purposes of this  
2 section:

3 (1) "Single-use carryout bag" means a bag made of plastic, paper or  
4 other material that is provided by a store to a customer at the point of  
5 sale, customarily without a fee, and that is not one hundred per cent  
6 recyclable. "Single-use carryout bag" does not include any of the  
7 following: (A) A bag provided by a pharmacy to a customer  
8 purchasing a prescription medication, (B) a nonhandled bag used to  
9 contain a purchased item or to protect a purchased item from  
10 damaging or contaminating other purchased items when placed in a  
11 reusable carryout bag or a single-use carryout bag made of paper, in  
12 accordance with the provisions of this section, or a bag brought by a  
13 customer at a store for the customer's own use, (C) a bag provided to  
14 contain an unwrapped food item, or (D) a nonhandled bag that is  
15 designed to be placed over: (i) Articles of clothing on a hanger, or (ii) a  
16 newspaper.

17 (2) "Store" means a retail establishment that meets any of the  
18 following requirements: (A) Is a full-line, self-service retail store with  
19 gross annual sales of two million dollars or more and that sells a line of  
20 dry groceries, canned goods or nonfood items and some perishable  
21 items, (B) contains not less than ten thousand square feet of retail space  
22 that generates sales or use tax in accordance with title 12 of the general  
23 statutes, (C) is a convenience food store, foodmart or other entity that  
24 is engaged in the retail sale of a limited line of goods, generally  
25 including milk, bread, soda and snack foods, or (D) is a convenience  
26 food store, foodmart or other entity that is engaged in the retail sale of  
27 goods intended to be consumed off the premises.

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

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

39 (2) Any owner or operator of a store who violates the provisions of  
40 this section shall be issued a warning for a first violation and shall be  
41 fined two hundred fifty dollars for a second or any subsequent  
42 violation, provided no such fine shall be assessed against any such  
43 owner or operator more than once in a seven-day period. The  
44 provisions of this section may be enforced by any municipality or  
45 health district and any agent of the Departments of Consumer  
46 Protection and Energy and Environmental Protection. One-half of any  
47 fine imposed by a municipality or health district shall be retained by  
48 the municipality where such violation occurred.

49 (c) Nothing in this section shall be construed to prohibit a  
50 municipality from enacting or enforcing an ordinance concerning  
51 single-use carryout bags made of plastic, provided such ordinance is as  
52 restrictive or more restrictive concerning the provision or selling of  
53 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
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**ENV**      *Joint Favorable*