

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2111 Session of  
2024

INTRODUCED BY GREEN, HOHENSTEIN, BOROWSKI, BRENNAN AND DALEY,  
MARCH 14, 2024

REFERRED TO COMMITTEE ON ENVIRONMENTAL RESOURCES AND ENERGY,  
MARCH 14, 2024

AN ACT

1 Amending Title 12 (Commerce and Trade) of the Pennsylvania  
2 Consolidated Statutes, in miscellaneous provisions, providing  
3 for bag usage.

4 The General Assembly of the Commonwealth of Pennsylvania  
5 hereby enacts as follows:

6 Section 1. Part IX of Title 12 of the Pennsylvania  
7 Consolidated Statutes is amended by adding a chapter to read:

8 CHAPTER 99

9 BAG USAGE

10 Sec.

11 9901. Scope of chapter.

12 9902. Definitions.

13 9903. Bag alternative.

14 § 9901. Scope of chapter.

15 This chapter relates to alternatives to single-use plastic  
16 bags and to the use of compliant bags.

17 § 9902. Definitions.

18 The following words and phrases when used in this chapter

1 shall have the meanings given to them in this section unless the  
2 context clearly indicates otherwise:

3 "Compliant bag." Any of the following:

4 (1) A paper bag that:

5 (i) Is 100% recyclable overall.

6 (ii) Contains a minimum of 40% postconsumer recycled  
7 material.

8 (iii) Can be composted.

9 (iv) Displays the words "recyclable" or "reusable"  
10 in a visible manner on the outside of the paper bag.

11 (2) A bag that:

12 (i) Has handles made of cloth or other washable  
13 fabric, or which is otherwise durable.

14 (ii) Is specifically designed and manufactured for  
15 multiple uses.

16 (iii) Is 100% recyclable overall.

17 "Customer." A person purchasing goods from a retail  
18 establishment.

19 "Retail establishment." As follows:

20 (1) A business entity that sells or otherwise  
21 distributes goods directly to a customer, regardless of  
22 whether the sale or distribution is carried on for profit.

23 (2) The term includes a retail store, restaurant,  
24 pharmacy, convenience store, grocery store, liquor store,  
25 seasonal or temporary business or similar entity or facility.

26 "Single-use plastic bag." As follows:

27 (1) A bag made predominantly of plastic derived from  
28 petroleum or a biologically based source, such as corn or  
29 another plant source, which is provided by a retail  
30 establishment to a customer at the point of sale or

1 distribution.

2 (2) The term includes a compostable and biodegradable  
3 bag.

4 (3) The term does not include a reusable bag, produce  
5 bag, product bag or any of the following that is used for  
6 carry-out purpose or otherwise:

7 (i) A bag provided by a retail establishment and  
8 used by a customer inside the retail establishment to do  
9 any of the following:

10 (A) Package bulk items, such as fruit,  
11 vegetables, nuts, grains, candies or small hardware  
12 items.

13 (B) Contain or wrap frozen foods, meat or fish,  
14 whether packaged or not.

15 (C) Contain or wrap flowers, potted plants or  
16 other items if dampness may be an issue.

17 (D) Contain unwrapped prepared foods or bakery  
18 goods.

19 (ii) A pharmacy prescription bag.

20 (iii) A newspaper bag.

21 (iv) A door-hanger bag.

22 (v) A laundry or dry cleaning bag.

23 (vi) A bag sold in a package containing multiple  
24 bags intended for use as a food storage bag, garbage bag,  
25 yard waste bag or pet waste bag.

26 § 9903. Bag alternative.

27 A retail establishment that has banned the use or provision  
28 of single-use plastic bags shall provide compliant bags to  
29 customers at the point of sale or distribution, free of charge.

30 Section 2. This act shall take effect in 60 days.