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Introduced by Representatives Scheu of Middlebury, Brumsted of Shelburne,  
Chesnut-Tangerman of Middletown Springs, Cina of  
Burlington, Colburn of Burlington, Cordes of Lincoln, Gannon  
of Wilmington, Macaig of Williston, Masland of Thetford,  
McCullough of Williston, O’Sullivan of Burlington, Squirrell of  
Underhill, Sullivan of Burlington, Till of Jericho, Troiano of  
Stannard, Walz of Barre City, and Yantachka of Charlotte

Referred to Committee on

Date:

Subject: Conservation and development; solid waste; plastic bags

Statement of purpose of bill as introduced: This bill proposes to prohibit food  
service establishments from providing carryout bags, expanded polystyrene  
food service products, and plastic straws to customers.

An act relating to the prohibition of plastic carryout bags, expanded  
polystyrene, and single-use plastic straws

1 It is hereby enacted by the General Assembly of the State of Vermont:

2 Sec. 1. 10 V.S.A. chapter 159, subchapter 5 is added to read:

3 Subchapter 5. Prohibition on Providing Single-Use Carryout Bags

4 § 6691. DEFINITIONS

5 As used in this subchapter:

6 (1) “Agency” means the Agency of Natural Resources.

7 (2) “Carryout bag” means a bag provided by a store or food service  
8 establishment to a customer at the point of sale for the purpose of carrying  
9 groceries or retail goods.

10 (3) “Disability,” with respect to an individual, has the same meaning as  
11 in 9 V.S.A. § 4501.

12 (4) “Expanded polystyrene” means blown polystyrene and expanded  
13 and extruded foams that are thermoplastic petrochemical materials utilizing a  
14 styrene monomer and processed by a number of techniques, including fusion  
15 of polymer spheres (expandable bead polystyrene), injection molding, foam  
16 molding, and extrusion-blow molding (extruded foam polystyrene).

17 (5) “Expanded polystyrene food service product” means a product  
18 made, in whole or in part, of expanded polystyrene that is used for selling or  
19 providing a food or beverage, and includes a food container, plate, hot or cold  
20 beverage cup, meat or vegetable tray, or egg carton. Expanded polystyrene  
21 food service product shall not include a product used to package raw,

1 uncooked, or butchered meat, fish, poultry, or seafood for off-premises  
2 consumption.

3 (6) “Food service establishment” has the same meaning as in 18 V.S.A.  
4 § 4301.

5 (7) “Plastic” means a synthetic material made from linking monomers  
6 through a chemical reaction to create a polymer chain that can be molded or  
7 extruded at high heat into various solid forms that retain their defined shapes  
8 during their life cycle and after disposal.

9 (8) “Secretary” means the Secretary of Natural Resources.

10 (9) “Single-use” means a product that is designed and intended to be  
11 used only once for drinking or eating and is generally recognized by the public  
12 as an item that is to be discarded after one use.

13 (10) “Store” means grocery store, supermarket, convenience store,  
14 liquor store, pharmacy, drug store, or other retail establishment that has over  
15 500 square feet of retail space and that provides carryout bags to its customers.

16 § 6692. PROHIBITION OF PRODUCTS

17 (a) No store or food service establishment shall provide a plastic carryout  
18 bag to a customer.

19 (b) No person shall sell or offer for sale any expanded polystyrene food  
20 service product.

1        (c) No food service establishment shall sell or provide any food in an  
2        expanded polystyrene food service product.

3        (d) No food service establishment shall sell or provide a single-use plastic  
4        straw to a customer, except, upon request, to a person who requires a single-  
5        use plastic straw due to a disability or medical condition.

6        § 6693. PENALTIES

7        A person who violates this subchapter shall be fined not more than  
8        \$5,000.00 for each offense.

9        § 6694. RULEMAKING

10       The Secretary may adopt rules as may be necessary to implement,  
11       administer, or enforce the requirements of this subchapter.

12       Sec. 2. EFFECTIVE DATE

13       This act shall take effect on July 1, 2019.