

1 H.506

2 Introduced by Representatives Shaw of Pittsford, Coffey of Guilford, Cupoli
3 of Rutland City, Demrow of Corinth, LaClair of Barre Town,
4 McCormack of Burlington, O'Sullivan of Burlington, and
5 Taylor of Colchester

6 Referred to Committee on

7 Date:

8 Subject: Conservation and development; solid waste; single-use carryout bags

9 Statement of purpose of bill as introduced: This bill proposes to regulate the
10 provision by retail establishments of single-use plastic and single-use paper
11 bags to consumers. The bill would prohibit the provision of single-use plastic
12 or single-use paper bags to consumers beginning July 1, 2020. Prior to July 1,
13 2020, a retail establishment could charge five cents per single-use carryout bag
14 provided to a consumer at the point of sale.

15 An act relating to the use of single-use carryout bags

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

17 Sec. 1. FINDINGS

18 The General Assembly finds that:

19 (1) Plastic bags pose major environmental and natural resource issues
20 for the country in that:

1 (A) in 2015, approximately 730,000 tons of high density
2 polyethylene plastic bags, sacks, and wraps were generated in the United States
3 and only 5.5 percent of that plastic was recycled;

4 (B) plastic bags are a major source of litter in the United States that
5 clogs storm drains and recycling equipment;

6 (C) between five and 13 million tons of plastic enter the ocean each
7 year from land-based sources; and

8 (D) plastics do not biodegrade and instead break down into smaller
9 particles that persist in water; enter the food chain through fish, birds, and
10 marine life; and can be lethal to livestock and other animals.

11 (2) Disposable paper bags also pose environmental and natural resources
12 issues in that:

13 (A) paper bags, including recycled paper bags, consume natural
14 resources; and

15 (B) paper bags are heavier than plastic bags, require more space for
16 storage, and require up to seven times the number of truck trips in order to
17 transport the same amount of plastic bags.

18 (3) Allowing disposable paper bags but not single-use plastic bags will
19 cost retailers up to six times the cost of plastic bags and will require retailers to
20 incur additional maintenance and payroll costs at checkout.

1 (4) To address the environmental, natural resources, and financial
2 effects of single-use bags, the State of Vermont should phase in a program to
3 discourage the use of both single-use plastic and single-use paper bags before
4 banning the provision of all single-use bags.

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

6 Subchapter 5. Use of Single-Use Carryout Bags

7 § 6691. DEFINITIONS

8 As used in this subchapter:

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

10 (2) “Retail establishment” means a place where goods, food, or other
11 products are offered to the public for sale, including supermarkets, grocery
12 stores, convenience stores, retail merchandise stores, and restaurants.

13 (3) “Reusable grocery bag” means a bag that is specifically designed
14 and manufactured for multiple reuse and that is:

15 (A) made of cloth or other machine-washable fabric that has handles;

16 (B) a nonwoven polypropylene bag that has handles; or

17 (C) a durable plastic bag that has handles and is at least 2.25 mils
18 thick.

19 (4)(A) “Single-use carryout bag” means a bag made of plastic, paper, or
20 other material that has a thickness of less than 2.25 mils and that is provided by

1 a retail establishment to a consumer at the point of sale for the purpose of
2 single-use transport and that is not a reusable grocery bag.

3 (B) A “single-use carryout bag” shall not include the following:

4 (i) a bag provided by a pharmacy to a customer purchasing a
5 prescription medication;

6 (ii) a bag without handles used to protect a purchased item from
7 damaging or contaminating other purchased items when placed in a reusable
8 grocery bag;

9 (iii) a bag provided to contain an unwrapped food item; or

10 (iv) a bag without handles that is designed to be placed over
11 articles of clothing on a hanger.

12 § 6692. FEE ON SINGLE-USE CARRYOUT BAG; PHASE IN

13 (a) On and after September 1, 2019, a retail establishment may provide a
14 single-use carryout bag at the point of sale, if the single-use carryout bag is
15 provided to the consumer at a cost of not less than \$0.05 per bag.

16 (b) All fees collected by a retail establishment under this section for
17 provision of a single-use carryout bag shall be retained by the retail
18 establishment.

19 § 6693. PROHIBITION ON SINGLE-USE CARRYOUT BAG

20 (a) On and after July 1, 2020, a retail establishment shall not provide a
21 single-use carryout bag to a consumer at the point of sale.

1 (b) A retail establishment shall not require a consumer to use, purchase, or
2 accept a reusable grocery bag as a condition of sale of any product.

3 Sec. 3. REPEAL

4 10 V.S.A. § 6692 (fee on single-use carry out bags) shall be repealed on
5 July 1, 2020.

6 Sec. 4. EFFECTIVE DATE

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