

HOUSE BILL NO. 505

98TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE NICHOLS.

1140L.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To amend chapter 260, RSMo, by adding thereto one new section relating to plastic bag reduction act.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Chapter 260, RSMo, is amended by adding thereto one new section, to be known as section 260.283, to read as follows:

260.283. 1. This section shall be known and may be cited as the "Plastic Bag Reduction Act".

2. As used in this section, the following terms mean:

(1) "Plastic carryout bag", a bag made predominantly of any type of plastic, which is provided to a customer at the point of sale in a retail establishment, but does not include reusable bags, produce bags, or product bags;

(2) "Produce bag" or "product bag", any bag without handles used exclusively to carry produce, meats, or other food items to the point of sale inside a retail establishment or to prevent such food items from coming into contact with other purchased items;

(3) "Recyclable", material that can be sorted, cleansed, and reconstituted using available recycling collection programs for the purpose of using the material in the manufacture of a new product. Recycling does not include burning, incinerating, or otherwise thermally destroying solid waste;

(4) "Retail establishment", any retail store in the state of Missouri.

3. Beginning January 1, 2016, no retail establishment shall use, distribute, or sell, any single-use, disposable, nonrecyclable plastic carryout bags to its customers. This subsection shall not apply to any produce bag or product bag.

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

18 **4. A retail establishment may sell or distribute carryout bags to customers at the**
19 **point of sale; however, such bags shall be recyclable, reusable, compostable, or**
20 **biodegradable. The recyclable bag shall include the chasing arrows recycling symbol or**
21 **the term "recyclable", consistent with the Federal Trade Commission guidelines.**

22 **5. A retail establishment may make qualified carryout bags, as described in**
23 **subsection 4 of this section, available for sale with a maximum charge of ten cents per bag.**
24 **Such fee is waived for customers using an electronic benefit transfer (EBT) card.**

25 **6. Nothing in this section shall prohibit a customer from using bags of any type that**
26 **they bring to the store themselves.**

27 **7. A city, county, city and county, or state may impose civil penalties in an amount**
28 **not to exceed ten thousand dollars for each day a retail establishment violates the**
29 **provisions of this section. Such penalties shall be paid to the attorney general and shall be**
30 **distributed annually to the schools of the county in which the violation or violations**
31 **occurred.**

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