HOUSE DOCKET, NO. 2022 FILED ON: 1/20/2011

HOUSE . . . . . No. 1990

The Commonwealth of Massachusetts

PRESENTED BY:

Lori A. Ehrlich

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying:

An Act relative to plastic bag reduction.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Lori A. Ehrlich	*8th Essex*
James B. Eldridge	☐ *[District]* ☐
Sean Garballey	*23rd Middlesex*
William N. Brownsberger	☐ *[District]* ☐
Jennifer E. Benson	*37th Middlesex*
Cheryl A. Coakley-Rivera	*10th Hampden*
Martha M. Walz	*8th Suffolk*
Ruth B. Balser	*12th Middlesex*
Sarah K. Peake	*4th Barnstable*
Cory Atkins	*14th Middlesex*
Linda Campbell	*15th Essex*
Christine E. Canavan	*10th Plymouth*
Sonia Chang-Diaz	☐ *[District]*

	□
Jason M. Lewis	*31st Middlesex*
Tom Sannicandro	*7th Middlesex*
Thomas M. Stanley	*9th Middlesex*
Michael D. Brady	*9th Plymouth*
Thomas P. Conroy	*13th Middlesex*
Jonathan Hecht	*29th Middlesex*
Carlos Henriquez	*5th Suffolk*
Patricia D. Jehlen	□ *[District]* □
Timothy R. Madden	*Barnstable, Dukes and Nantucket*
Denise Provost	*27th Middlesex*
Byron Rushing	*9th Suffolk*
Alice K. Wolf	*25th Middlesex*
Gailanne M. Cariddi	*1st Berkshire*
Cynthia S. Creem	□ *[District]* □
Kevin G. Honan	*17th Suffolk*
Kay Khan	*11th Middlesex*
Alice Hanlon Peisch	*14th Norfolk*
Cleon H. Turner	*1st Barnstable*
Katherine M. Clark	*Middlesex and Essex*
Carolyn C. Dykema	*8th Middlesex*
George N. Peterson, Jr.	*9th Worcester*
Karen E. Spilka	□ *[District]* □
William M. Straus	*10th Bristol*
Timothy J. Toomey, Jr.	*26th Middlesex*
Martin J. Walsh	*13th Suffolk*

HOUSE DOCKET, NO. 2022 FILED ON: 1/20/2011

HOUSE . . . . . No. 1990

By Ms. Ehrlich of Marblehead, a petition (accompanied by bill, House, No. 1990) of Lori A. Ehrlich and others relative to reducing the use of non-compostable plastic bags in retail sales. Environment, Natural Resources and Agriculture.

The Commonwealth of Massachusetts

An Act relative to plastic bag reduction.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Chapter 21, as appearing in the Official Edition, is hereby amended by inserting after section 21N the following chapter:-

CHAPTER 21O. PLASTIC BAG REDUCTION ACT

Section 1. As used in this chapter, the following words shall, unless the context clearly requires otherwise, have the following meanings:

"Commissioner", the commissioner of the department of environmental protection.

"ASTM standard", the American Society for Testing and Materials (ASTM)'s International standard D6400 for compostable plastic, and other such standards as deemed acceptable by the commissioner; standards may be amended from time to time.

"Compostable plastic bag", a plastic bag that (1) conforms to the current ASTM standard for compostability; (2) is certified and labeled as meeting the ASTM standard by a recognized verification entity such as the Biodegradable Product Institute; (3) other standards deemed acceptable by the commissioner

"Checkout bag", a carryout bag provided by a store to a customer at the point of sale.

"Department", the department of environmental protection.

"Person", an individual, trust, firm, joint stock company, corporation, cooperative, partnership, or association.

18 “Reusable bag”, a bag with handles that is specifically designed and manufactured for
19 multiple reuse and is either (1) made of cloth or other machine washable fabric, or (2) made of
20 durable plastic that is at least 2.25 mils thick.

21 “Retail establishment”, any retail store 4,000 square feet or over.

22 Section 2. (a) If a retail establishment provides plastic checkout bags to customers, the
23 bags must only be compostable plastic bags.

24 (b) Nothing in this section shall be read to preclude any establishment from making
25 reusable

26 checkout bags available for sale to customers.

27 (a) The enforcement and penalty provisions of section 16 of chapter 21A shall apply
28 to this chapter.

29 (b) The commissioner shall promulgate rules and regulations to implement this
30 section.

31 Section 3. All of the requirements set forth in this act shall take effect 12 months after its
32 effective date.