

SENATE No. 353

The Commonwealth of Massachusetts

PRESENTED BY:

James B. Eldridge

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 adoption of the accompanying bill:

An Act relative to plastic bag reduction.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>James B. Eldridge</i>	
<i>Lori A. Ehrlich</i>	<i>8th Essex</i>
<i>Thomas P. Conroy</i>	<i>13th Middlesex</i>
<i>Kenneth J. Donnelly</i>	
<i>Brian A. Joyce</i>	<i>Norfolk, Bristol and Plymouth</i>
<i>Alice Hanlon Peisch</i>	<i>14th Norfolk</i>
<i>Anthony W. Petruccelli</i>	
<i>Karen E. Spilka</i>	
<i>Thomas M. Stanley</i>	<i>9th Middlesex</i>

SENATE No. 353

By Mr. Eldridge, a petition (accompanied by bill, Senate, No. 353) of James B. Eldridge, Lori A. Ehrlich, Thomas P. Conroy, Kenneth J. Donnelly and other members of the General Court for legislation relative to plastic bag reduction. Environment, Natural Resources and Agriculture.

The Commonwealth of Massachusetts

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In the Year Two Thousand Eleven
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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:

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

3 CHAPTER 21O. PLASTIC BAG REDUCTION ACT

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

6 “Commissioner”, the commissioner of the department of environmental protection.

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

10 “Compostable plastic bag”, a plastic bag that (1) conforms to the current ASTM standard
11 for compostability; (2) is certified and labeled as meeting the ASTM standard by a recognized

12 verification entity such as the Biodegradable Product Institute; (3) other standards deemed
13 acceptable by the commissioner

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

15 “Department”, the department of environmental protection.

16 “Person”, an individual, trust, firm, joint stock company, corporation, cooperative,
17 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.