

SENATE No.

The Commonwealth of Massachusetts

PRESENTED BY:

Adam G. Hinds

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 reducing packaging waste.

PETITION OF:

NAME:

Adam G. Hinds

DISTRICT/ADDRESS:

*Berkshire, Hampshire, Franklin and
Hampden*

SENATE No.

By Mr. Hinds, a petition (accompanied by bill) (subject to Joint Rule 12) of Adam G. Hinds for legislation to reduce packaging waste. Environment, Natural Resources and Agriculture.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Second General Court
(2021-2022)**

An Act reducing packaging waste.

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: Limiting the size of shipping boxes

2 Title II of the General Laws is hereby amended by inserting after chapter 210 the
3 following chapter:-

4 “CHAPTER 21P: LIMITING THE SIZE OF SHIPPING BOXES

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

7 “Consumer” means a person present in Massachusetts who purchases merchandise at
8 retail for personal use and not for purposes of resale.

9 “Large online retailer” means a business that sells goods over the internet, sends goods
10 by mail or parcel delivery, and has annual gross sales equal to or greater than one million dollars
11 in or into Massachusetts.

12 “Major retailer” means a retail establishment that occupies at least 75,000 square feet
13 and has 50 or more employees.

14 “Shipping box” means a cardboard or corrugated container that has a flat base and sides
15 and is utilized by retailers to ship products to consumers by mail.

16 Section 2. (a) Beginning six months after the effective date of this section, no large online
17 retailer or major retailer in the Commonwealth shall utilize a shipping box to ship a product to a
18 consumer that is greater than two times the volume of the product being shipped.

19 (b) Any large online retailer or major retailer that violates the provisions of this section
20 shall be subject to a civil penalty of not less than \$250 nor more than \$500 for each offense, to be
21 collected in a civil action by summary proceeding, or in any case before a court of competent
22 jurisdiction wherein injunctive relief has been requested. If the violation is of a continuing
23 nature, each day during which the violation continues shall constitute an additional, separate, and
24 distinct offense. The Superior Court and the District Court shall have jurisdiction to enforce
25 these provisions. Revenue from fines shall be disbursed into the Global Warming Solutions Trust
26 Fund.

27 Section 3. Enforcement

28 (a) The department of environmental protection shall promulgate regulations with regard
29 to the enforcement of this chapter. Health Agents of the cities and towns of the Commonwealth
30 of Massachusetts shall also have the authority to enforce this chapter. This chapter may be
31 enforced through any lawful means in law or in equity, including but not limited to, noncriminal
32 disposition pursuant to G.L. c. 40 § 21D and Article VI of the General Bylaws. The town or city
33 may enforce this chapter or enjoin violations thereof through any lawful process or combination

34 of processes, and the election of one remedy by the town or city shall not preclude enforcement
35 through any other lawful means.