

HOUSE No.

The Commonwealth of Massachusetts

PRESENTED BY:

Joseph D. McKenna, (BY REQUEST)

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 tethered caps on single-serve beverage containers.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Declan Walker</i>		<i>6/11/2026</i>

HOUSE No.

[Pin Slip]

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Fourth General Court
(2025-2026)**

An Act relative to tethered caps on single-serve beverage containers.

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.

2 Chapter 94 of the General Laws is hereby amended by inserting after section 323E the
3 following new section:—

4 Section 323F. Tethered Caps on Single-Serve Beverage Containers.

5 (a) Definitions. As used in this section, the following words shall have the following
6 meanings:

7 (1) "Beverage" shall have the meaning ascribed to it in section 321 of this chapter, and
8 shall additionally include non-carbonated beverages, including but not limited to water, juice,
9 sports drinks, tea, and coffee-based beverages sold in sealed plastic containers.

10 (2) "Beverage container" means any individual, sealed bottle or other receptacle,
11 however denominated, that is constructed primarily of plastic, that is produced for the purpose of
12 containing a beverage for sale at retail in sealed, consumer-ready form, and that has a capacity of

13 less than three liters. "Beverage container" does not include: (i) cups or other open or loosely
14 sealed receptacles; (ii) cartons, pouches, or aseptic packaging; (iii) containers made primarily of
15 glass or metal; or (iv) containers made of material certified as compostable under applicable state
16 or federal standards.

17 (3) "Cap" means any closure, lid, stopper, or similar device that is designed to seal the
18 opening of a beverage container, including screw-type closures, snap caps, flip-top closures,
19 sport caps, and press-fit closures.

20 (4) "Department" means the Massachusetts Department of Environmental Protection.

21 (5) "Distributor" shall have the meaning ascribed to it in section 321 of this chapter.

22 (6) "Tethered cap" means a cap that is physically connected to its beverage container by
23 a hinge, strap, ring, or other retaining feature that is integral to the cap or the container and that
24 prevents the cap from becoming fully separated from the container when the cap is opened or
25 removed by the consumer in normal use.

26 (b) Tethered Cap Requirement.

27 On and after January 1, 2028, no person shall manufacture for sale in the
28 Commonwealth, offer for sale, sell, or distribute within the Commonwealth any beverage
29 container unless such container is equipped with a tethered cap as defined in this section.

30 (c) Exemptions.

31 The following are exempt from the requirements of subsection (b):

32 (1) Beverage containers with a capacity of three liters or more;

33 (2) Beverage containers that are not constructed primarily of plastic, including those
34 made of glass, aluminum, or other metals;

35 (3) Beverage containers sealed with materials that are, by their nature, not separable
36 closures, such as foil seals, pull-tabs integral to the container wall, or heat-sealed membranes
37 without a secondary closure; and

38 (4) Any beverage container type for which the Department determines, by regulation,
39 that no commercially available tethered cap design exists that is compatible with the container
40 format, provided that such exemption shall not extend beyond January 1, 2030 without further
41 regulatory action.

42 (d) Regulatory Authority.

43 The Department shall promulgate regulations necessary to implement this section,
44 including standards for determining compliance with the tethered cap requirement, procedures
45 for reviewing exemption requests, and schedules for periodic review of exempted container
46 types. The Department may consult with the Secretary of Energy and Environmental Affairs, the
47 Department of Public Health, and relevant industry stakeholders in developing such regulations.
48 The Department shall publish proposed regulations no later than July 1, 2027.

49 (e) Enforcement and Penalties.

50 Any person who violates the provisions of this section shall be subject to a civil penalty
51 of not more than five hundred dollars per violation. Each day on which a violation continues
52 shall constitute a separate violation. The Attorney General and district attorneys of the several

53 counties shall have authority to enforce this section. The Department may refer violations to the
54 Attorney General for enforcement action.

55 (f) No Preemption of Local Ordinances.

56 Nothing in this section shall be construed to prohibit a city or town from adopting an
57 ordinance or bylaw that imposes requirements on beverage container closures that are equal to or
58 more stringent than those required by this section.

59 SECTION 2. Effective Date.

60 the requirements of section 1 shall not apply to beverage containers offered for sale in the
61 Commonwealth until January 1, 2028, as provided in said section 1.