



Sen. Terry Link

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LRB100 08906 MJP 22811 a

1 AMENDMENT TO SENATE BILL 1597

2 AMENDMENT NO. _____. Amend Senate Bill 1597 by replacing
3 everything after the enacting clause with the following:

4 "Section 1. Short title. This Act may be cited as the
5 Compostable Bags in Retail Establishments Act.

6 Section 5. Definitions. As used in this Act:

7 "Plastic film bag" means a bag that is provided by a retail
8 establishment at the check stand, cash register, point of sale,
9 or other point of departure to a customer for the purpose of
10 transporting food or merchandise out of the establishment or
11 sold by a retailer in packages containing multiple bags
12 intended for use as garbage, pet waste, or yard waste bags.

13 "Plastic film bag" does not include bags used by customers
14 inside stores to package bulk items such as fruit, vegetables,
15 nuts, grains, candy, greeting cards, or small hardware items,
16 such as nails and bolts, or to contain or wrap frozen foods,

1 meat or fish, whether prepackaged or not, or to contain or wrap
2 flowers or potted plants, or other items where dampness may be
3 a problem, or to contain unwrapped prepared foods or bakery
4 goods, or to contain prescription drugs, or to safeguard public
5 health and safety during the transportation of prepared
6 take-out foods and prepared liquids intended for consumption
7 away from the retail establishment; or newspaper bags,
8 door-hanger bags, or laundry-dry cleaning bags.

9 "Compostable" means that the product completely breaks
10 down into a stable product due to the action of microorganisms
11 in a controlled, aerobic commercial process that results in a
12 material safe and desirable as a soil amendment, meets the
13 compost standards under 35 Ill. Adm. Code 830.503, has been
14 found to degrade satisfactorily at the composting facility
15 receiving the material, meets industry standard specification
16 ASTM D6400, and has been certified as compostable by the
17 Biodegradable Products Institute or a similar national or
18 international certification authority.

19 "Retail establishment" means any person, corporation,
20 partnership, business venture, public sports or entertainment
21 facilities, government agency, street vendor or vendor at
22 public events or festivals, or organizations that sell or
23 provide merchandise, goods, or materials including, without
24 limitation, clothing, food, beverages, household goods, or
25 personal items of any kind directly to a customer. "Retail
26 establishment" includes, but is not limited to, department

1 stores, clothing stores, jewelry stores, grocery stores,
2 pharmacies, home improvement stores, liquor stores,
3 convenience stores, gas stations, restaurants, food vending
4 trucks, farmers markets, and temporary vendors of food and
5 merchandise at street fairs and festivals. "Retail
6 establishment" does not include food banks and other food
7 assistance programs.

8 Section 10. Compostable bags; retail establishments. No
9 retail establishment in the State shall use, provide, or sell
10 polyethylene or other non-compostable plastic film bags tinted
11 green to the retail establishment's customers. Any plastic film
12 bags meeting the definition of compostable that retail
13 establishments provide or sell to customers must be tinted
14 green and shall be clearly labeled "COMPOSTABLE", including
15 language following the Federal Trade Commission's "Green
16 Guides". No plastic film bag that retail establishments provide
17 to or sell to customers may be labeled with the term
18 "biodegradable", "degradable", "decomposable", or any similar
19 terms, or in any way imply that the product will break down,
20 fragment, biodegrade, or decompose in a landfill or other
21 environment.

22 Section 99. Effective date. This Act takes effect January
23 1, 2018."