



Rep. Jennifer Gong-Gershowitz

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10200HB3067ham001

LRB102 14926 CPF 35397 a

1 AMENDMENT TO HOUSE BILL 3067

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 3067 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Environmental Protection Act is amended by  
5 adding Section 52.11 as follows:

6 (415 ILCS 5/52.11 new)

7 Sec. 52.11. Disposable food service containers.

8 (a) As used in this Section:

9 "Disposable food service container" means serviceware  
10 designed for one-time use. "Disposable food service container"  
11 includes, but is not limited to, serviceware for takeout  
12 foods, packaged meat, eggs, bakery products, and leftovers  
13 from partially consumed meals.

14 "Polystyrene foam" means blown polystyrene and expanded or  
15 extruded foams using a styrene monomer.

16 "Serviceware" means a container, bowl, plate, tray,

1 carton, cup, lid, or other item designed to be used for  
2 prepared foods.

3 "Store" means a retail establishment in the State,  
4 including, but not limited to, a convenience store,  
5 restaurant, grocery store, pharmacy, seasonal or temporary  
6 business, farm stand, or other retail seller of goods to the  
7 ultimate consumer for direct use or consumption and not for  
8 resale.

9 (b) Beginning January 1, 2023, a store may not sell or  
10 distribute in this State a disposable food service container  
11 that is composed in whole or in part of polystyrene foam.

12 (c) The prohibition under subsection (b) shall not apply  
13 to the following entities until one year after the effective  
14 date of this amendatory Act of the 102nd General Assembly:

15 (1) A food pantry.

16 (2) A soup kitchen.

17 (3) A not-for-profit corporation that provides food to  
18 needy individuals at no or nominal charge.

19 (4) A federal, State, or local government agency that  
20 provides food to needy individuals at no or nominal  
21 charge.

22 (5) A restaurant with an annual gross income under  
23 \$500,000 per location as stated on the restaurant's income  
24 tax filing for the most recent tax year.

25 Section 99. Effective date. This Act takes effect upon

1 becoming law.".