

# SB0058



## 103RD GENERAL ASSEMBLY

### State of Illinois

2023 and 2024

SB0058

Introduced 1/20/2023, by Sen. Laura Fine

#### SYNOPSIS AS INTRODUCED:

415 ILCS 80/6 new

Amends the Degradable Plastic Act. Provides that, on or before July 1, 2025, each State agency shall establish and implement a plan to reduce the quantity of single-use plastics used or purchased by that State agency by 50% on or before 2031 and by 75% on or before 2036. Exempts specified single-use plastics from the provisions. Provides that on or before May 1, 2026, and on or before May 1 of each year thereafter, each State agency shall deliver to the Department of Central Management Services a status report on its single-use plastics reduction efforts. Requires the Department to compile a report with specified information and submit it to the General Assembly and the public. Provides that each State agency must post specified information on its website. Exempts State agencies that ban their own use or purchase of single-use plastics from the requirements. Defines "single-use plastic" and "State agency". Contains other provisions.

LRB103 04642 CPF 49650 b

A BILL FOR

1 AN ACT concerning safety.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Degradable Plastic Act is amended by adding  
5 Section 6 as follows:

6 (415 ILCS 80/6 new)

7 Sec. 6. Single-use plastic reduction.

8 (a) On or before July 1, 2025, each State agency shall  
9 establish and implement a plan to reduce the total quantity of  
10 single-use plastics used or purchased by the State agency by  
11 50% on or before 2031 and by 75% on or before 2036, using as a  
12 baseline for those reductions the total quantity of single-use  
13 plastics used or purchased by the State agency in fiscal year  
14 2024. Once finalized, the plan shall be made available to the  
15 public on the respective State agency's website.

16 (b) On or before May 1, 2026, and on or before May 1 of  
17 each year thereafter, each State agency shall deliver to the  
18 Department of Central Management Services a report on the  
19 status of the State agency's single-use plastics reduction  
20 plan established and implemented under subsection (a).

21 (c) On or before July 1, 2026, and on or before July 1 of  
22 each year thereafter, the Department of Central Management  
23 Services shall (i) compile the reports received under

1 subsection (b) into a single report, (ii) submit the compiled  
2 report to the General Assembly, and (iii) publish the compiled  
3 report on the Department of Central Management Services's  
4 website. The report shall contain, at a minimum, the following  
5 information:

6 (1) A description of the single-use plastics reduction  
7 plan established and implemented by each State agency  
8 under subsection (a).

9 (2) The percentage reduction achieved by each State  
10 Agency in the total quantity of single-use plastics used  
11 or purchased since the previous fiscal year and since  
12 implementing its plan.

13 (3) Future actions, implementations, or initiatives to  
14 further reduce each State agency's use or purchase of  
15 single-use plastics, if applicable.

16 (4) Information directing the public to each State  
17 agency's report made available on the State agency's  
18 website under subsection (a).

19 (d) Information pertaining to a particular State agency in  
20 the report compiled by the Department of Central Management  
21 Services under subsection (c) shall be made available by that  
22 State agency to the public by publishing the information on  
23 the State agency's website.

24 (e) A State agency that bans its own use or purchase of  
25 single-use plastics is exempt from the requirements of this  
26 Section.

1 (f) In this Section:

2 "Single-use plastic" means all of the following:

3 (1) Packaging that is routinely recycled, disposed of,  
4 or discarded after its contents have been used or  
5 unpackaged and that is not typically refilled or otherwise  
6 reused by its producer.

7 (2) Plastic single-use food serviceware, including,  
8 but not limited to, plastic-coated paper or plastic-coated  
9 paperboard, paper or paperboard with plastic intentionally  
10 added during the manufacturing process, and multi-layer  
11 flexible material. For purposes of this paragraph,  
12 "single-use food serviceware" includes the following:

13 (A) Trays, plates, bowls, clamshells, lids, cups,  
14 utensils, stirrers, hinged or lidded containers, and  
15 straws.

16 (B) Wraps, wrappers, or bags sold to food service  
17 establishments.

18 (C) Styrofoam containers.

19 (D) Plastic bottles.

20 (3) Any item described under paragraph (1) or (2) that  
21 is purchased by a State agency for use by an employee of  
22 that State agency or that is purchased to be provided to a  
23 member of the public by that State agency or by another  
24 State agency.

25 "Single-use plastic" does not include any of the  
26 following:

1 (1) Packaging used for any of the following products:

2 (A) Products meeting the definitions set forth  
3 under 21 U.S.C. 321(g), 21 U.S.C. 321(h), or 21 U.S.C.  
4 353(b)(1).

5 (B) Drugs that are used for animal medicines,  
6 including, but not limited to, parasiticide products  
7 for animals.

8 (C) Products intended for animals that are  
9 regulated as animal drugs, biologics, parasiticides,  
10 medical devices, or diagnostics used to treat, or to  
11 be administered to, animals under the Federal Food,  
12 Drug, and Cosmetic Act, the federal Virus-Serum-Toxin  
13 Act, or the Federal Insecticide, Fungicide, and  
14 Rodenticide Act.

15 (D) Infant formula, as defined under 21 U.S.C.  
16 321(z).

17 (E) Medical food, as defined under 21 U.S.C.  
18 360ee(b)(3).

19 (F) Fortified oral nutritional supplements used  
20 for persons who require supplemental or sole source  
21 nutrition to meet nutritional or special dietary needs  
22 directly related to cancer, chronic kidney disease,  
23 diabetes, malnutrition, or failure to thrive, as those  
24 terms are defined by the International Classification  
25 of Diseases, Tenth Revision, published by the World  
26 Health Organization.

1           (G) Plastic used in a health care setting for  
2           patient care.

3           (2) Packaging used to contain products regulated under  
4           the Federal Insecticide, Fungicide, and Rodenticide Act.

5           (3) Plastic packaging containers used to contain and  
6           ship products that must be classified for transportation  
7           as dangerous goods or hazardous materials under 49 CFR  
8           178.

9           (4) Packaging used to contain hazardous or flammable  
10          products regulated under 29 CFR 1910.1200.

11          "State agency" means any department, commission, council,  
12          board, bureau, committee, institution, agency, university,  
13          government corporation, authority, or other establishment or  
14          official of this State. "State agency" includes any  
15          establishment or official of the State that directly or  
16          indirectly oversees the State's purchase of any product for  
17          use in the State.