



General Assembly

Substitute Bill No. 1046

January Session, 2023



AN ACT CONCERNING THE REDUCTION OF FOOD WASTE IN SCHOOLS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 22a-226e of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective July 1, 2023*):

3 (a) (1) On and after January 1, 2014, each commercial food
4 wholesaler or distributor, industrial food manufacturer or processor,
5 supermarket, resort or conference center that is located not more than
6 twenty miles from an authorized source-separated organic material
7 composting facility and that generates an average projected volume of
8 not less than one hundred four tons per year of source-separated
9 organic materials shall: (A) Separate such source-separated organic
10 materials from other solid waste; and (B) ensure that such source-
11 separated organic materials are recycled at any authorized source-
12 separated organic material composting facility that has available
13 capacity and that will accept such source-separated organic material.

14 (2) On and after January 1, 2020, each commercial food wholesaler
15 or distributor, industrial food manufacturer or processor, supermarket,
16 resort or conference center that is located not more than twenty miles
17 from an authorized source-separated organic material composting
18 facility and that generates an average projected volume of not less than
19 fifty-two tons per year of source-separated organic materials shall: (A)

20 Separate such source-separated organic materials from other solid
21 waste; and (B) ensure that such source-separated organic materials are
22 recycled at any authorized source-separated organic material
23 composting facility that has available capacity and that will accept
24 such source-separated organic material.

25 (3) On and after January 1, 2022, each commercial food wholesaler
26 or distributor, industrial food manufacturer or processor, supermarket,
27 resort [or] and conference center, and, on and after January 1, 2024,
28 each local and regional board of education for a school district that is
29 located not more than twenty miles from an authorized source-
30 separated organic material composting facility and that generates an
31 average projected volume of not less than twenty-six tons per year of
32 source-separated organic materials shall: (A) Separate such source-
33 separated organic materials from other solid waste; and (B) ensure that
34 such source-separated organic materials are recycled at any authorized
35 source-separated organic material composting facility that has
36 available capacity and that will accept such source-separated organic
37 material.

38 (b) Any such wholesaler, distributor, manufacturer, processor,
39 supermarket, resort, [or] conference center or local or regional board of
40 education that performs composting of source-separated organic
41 materials on site or treats source-separated organic materials via on-
42 site organic treatment equipment permitted pursuant to the general
43 statutes or federal law shall be deemed in compliance with the
44 provisions of this section.

45 (c) Any permitted source-separated organic material composting
46 facility that receives such source-separated organic materials shall
47 report to the Commissioner of Energy and Environmental Protection,
48 as part of such facility's reporting obligations, a summary of fees
49 charged for receipt of such source-separated organic materials.

50 (d) (1) Not later than January 1, 2022, the Commissioner of Energy
51 and Environmental Protection shall establish a voluntary pilot

52 program for any municipality that seeks to separate source-separated
53 organic materials and ensure that such source-separated organic
54 materials are recycled at authorized source-separated organic material
55 composting facilities that have available capacity and that will accept
56 such source-separated organic material.

57 (2) Not later than January 1, 2024, the Commissioner of Energy and
58 Environmental Protection shall establish a voluntary pilot program for
59 any local or regional board of education that seeks to separate source-
60 separated organic materials and ensure that such source-separated
61 organic materials are recycled at authorized source-separated organic
62 material composting facilities that have available capacity and that will
63 accept such source-separated organic material.

64 Sec. 2. Subsection (a) of section 10-158a of the general statutes is
65 repealed and the following is substituted in lieu thereof (*Effective July*
66 *1, 2023*):

67 (a) Any two or more boards of education may, in writing, agree to
68 establish cooperative arrangements to provide school accommodations
69 services, programs or activities, special education services, health care
70 services, alternative education, as defined in section 10-74j, [or]
71 administrative and central office duties, or for the composting of
72 source-separated organic materials pursuant to section 22a-226e, as
73 amended by this act, to enable such boards to carry out the duties
74 specified in the general statutes. Such arrangements may include the
75 establishment of a committee to supervise such programs, the
76 membership of the committee to be determined by the agreement of
77 the cooperating boards. Such committee shall have the power, in
78 accordance with the terms of the agreement, to (1) apply for, receive
79 directly and expend on behalf of the school districts which have
80 designated the committee an agent for such purpose any state or
81 federal grants which may be allocated to school districts for specified
82 programs, the supervision of which has been delegated to such
83 committee, provided such grants are payable before implementation of
84 any such program or are to reimburse the committee pursuant to

85 subsection (d) of this section for transportation provided to a school
86 operated by a cooperative arrangement; (2) receive and disburse funds
87 appropriated to the use of such committee by the cooperating school
88 districts, the state or the United States, or given to the committee by
89 individuals or private corporations; (3) hold title to real or personal
90 property in trust, or as otherwise agreed to by the parties, for the
91 appointing boards; (4) employ personnel; (5) enter into contracts; and
92 (6) otherwise provide the specified programs, services and activities.
93 Teachers employed by any such committee shall be subject to the
94 provisions of the general statutes applicable to teachers employed by
95 the board of education of any town or regional school district. For
96 purposes of this section, the term "teacher" shall include each
97 professional employee of a committee below the rank of
98 superintendent who holds a regular certificate issued by the State
99 Board of Education and who is in a position requiring such
100 certification.

101 Sec. 3. (NEW) (*Effective July 1, 2023*) (a) For the purposes of this
102 section, "composting station" means a designated location in a school
103 cafeteria where students and employees of the school may deposit
104 unconsumed organic material for composting.

105 (b) Not later than January 1, 2024, the Department of Education
106 shall, in consultation with the Department of Energy and
107 Environmental Protection, develop guidelines concerning the
108 implementation of a composting station program at schools. Such
109 guidelines shall include, but need not be limited to, (1) the types of
110 organic material that may be deposited in a composting station, (2)
111 best practices for food and beverage management and safety with
112 respect to the items deposited at a composting station, and (3)
113 processes for the disposal of any organic material not used for
114 composting. Such guidelines shall be consistent with the rules and
115 regulations of the Department of Public Health, the United States Food
116 and Drug Administration and the United States Department of
117 Agriculture.

118 (c) For the school year commencing July 1, 2023, and each school
119 year thereafter, any school under the jurisdiction of a local or regional
120 board of education may implement a composting station program at
121 such school in accordance with the guidelines developed pursuant to
122 subsection (b) of this section.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2023</i>	22a-226e
Sec. 2	<i>July 1, 2023</i>	10-158a(a)
Sec. 3	<i>July 1, 2023</i>	New section

Statement of Legislative Commissioners:

In Section 1(a)(3), "resort or conference" was changed to "resort [or] and conference" and "any local or regional" was changed to "each local and regional", for proper form.

KID *Joint Favorable Subst. -LCO*