

AN ACT

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IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

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To amend Subtitle A of Title IV of the Sustainable DC Omnibus Amendment Act of 2014 to prohibit the retail sale of expanded polystyrene food service products, expanded polystyrene containers, and expanded polystyrene packaging.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Polystyrene Food Service Product and Packaging Prohibition Amendment Act of 2020”.

Sec. 2. Subtitle A of Title IV of the Sustainable DC Omnibus Amendment Act of 2014, effective December 17, 2014 (D.C. Law 20-142; D.C. Official Code § 8-1531 *et seq.*), is amended as follows:

(a) Section 401 (D.C. Official Code § 8-1531) is amended as follows:

(1) A new paragraph (2A) is added to read as follows:

“(2A) “Expanded polystyrene container” means a container, such as a cooler or ice chest, made of expanded polystyrene that is not wholly encapsulated or encased within a more durable material.”.

(2) A new paragraph (3A) is added to read as follows:

“(3A) “Expanded polystyrene packing material” means material, such as packing peanuts, made of expanded polystyrene used to hold, cushion, or protect items packed in a container for shipping, transport, or storage.”.

(3) A new paragraph (6) is added to read as follows:

“(6) “Retailer” means a person engaged in retail sales in the District.”.

(b) Section 402 (D.C. Official Code § 8-1532) is amended as follows:

(1) Subsection (a) is amended as follows:

(A) The existing text is designated as paragraph (1).

(B) A new paragraph (2) is added to read as follows:

“(2) By January 1, 2021, no retailer shall sell or offer for sale an expanded polystyrene food service product, expanded polystyrene container, or expanded polystyrene packing material.”.

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(2) Subsection (b) is amended by striking the phrase “Subsection (a)” and inserting the phrase “Subsection (a)(1)” in its place.

**Sec. 3. Fiscal impact statement.**

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

**Sec. 4. Effective date.**

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

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Chairman  
Council of the District of Columbia

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Mayor  
District of Columbia