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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 1281 Session of  
2015

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INTRODUCED BY HANNA, BISHOP, THOMAS, ROZZI, McNEILL AND  
V. BROWN, JUNE 5, 2015

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REFERRED TO COMMITTEE ON ENVIRONMENTAL RESOURCES AND ENERGY,  
JUNE 5, 2015

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AN ACT

1 Establishing the Plastic Bag Recycling Advisory Board and  
2 providing for a study and report.

3 The General Assembly of the Commonwealth of Pennsylvania  
4 hereby enacts as follows:

5 Section 1. Short title.

6 This act shall be known and may be cited as the Plastic Bag  
7 Recycling Advisory Board Act.

8 Section 2. Definitions.

9 The following words and phrases when used in this act shall  
10 have the meanings given to them in the section unless the  
11 context clearly indicates otherwise:

12 "Board." The Plastic Bag Recycling Advisory Board  
13 established under section 3.

14 "Department." The Department of Environmental Protection of  
15 the Commonwealth.

16 "Plastic bag." A bag or pouch of flexible packaging made of  
17 thin, flexible, plastic film that is designed and intended to be

1 used for the carrying of goods purchased at a retail  
2 establishment and that is provided to the consumer by the retail  
3 establishment at the point of sale. The term does not include:

4 (1) A reusable bag or pouch specifically designed for  
5 multiple use and that is made of cloth, fabric or durable  
6 plastic of at least 2.25 mils.

7 (2) A bag or pouch to carry or bundle produce for  
8 delivery to the point of sale at a retail establishment.

9 (3) A bag or pouch made of compostable material that  
10 meets the American Society for Testing and Materials (ASTM)  
11 D6400 standard for compostable plastic.

12 "Retail establishment." An establishment that sells or  
13 offers to sell consumer goods to the public at retail.

14 Section 3. Plastic Bag Recycling Advisory Board.

15 (a) Establishment.--A Plastic Bag Recycling Advisory Board  
16 is established.

17 (b) Composition.--The board shall consist of, but need not be  
18 limited to, the following individuals:

19 (1) The Secretary of the Department of Environmental  
20 Protection or a designee.

21 (2) The Secretary of the Department of Agriculture or a  
22 designee.

23 (3) A representative of retail establishments  
24 recommended by the Pennsylvania Retailers' Association.

25 (4) A representative of retail establishments  
26 recommended by the Pennsylvania Food Merchants Association.

27 (5) A representative of the waste disposal industry  
28 recommended by the Pennsylvania Waste Industries Association.

29 (6) A representative of the waste disposal industry  
30 recommended by the Pennsylvania Independent Waste Haulers

1 Association.

2 (7) A representative of plastic bag manufacturers  
3 recommended by a leading manufacturer of plastic retail bags  
4 in this Commonwealth.

5 (8) A representative of environmental organizations  
6 recommended by an organization whose mission is to empower  
7 Pennsylvanians to keep communities in this Commonwealth clean  
8 and pollution free.

9 (c) Chairperson.--The members of the board shall elect the  
10 chairperson from among its members.

11 (d) Meetings.--The board shall meet not less than  
12 triannually in person or by teleconference or video conference  
13 upon the call of the chairperson.

14 (e) Compensation.--Members of the board shall not be  
15 compensated for their services, but actual and necessary  
16 expenses incurred in the performance of their duties shall be  
17 reimbursed by the department.

18 (f) Study and report.--The board, in consultation with  
19 national, State and local organizations, agencies and  
20 researchers shall examine plastic bag pollution, production,  
21 disposal and the levels of plastic bag waste management in this  
22 Commonwealth. The board shall:

23 (1) Examine and make recommendations regarding existing  
24 plastic bag recycling efforts, programs and policies  
25 implemented in this Commonwealth.

26 (2) Develop a regulatory scheme that provides for  
27 environmental oversight and enforcement specifically  
28 applicable to the production, manufacture and disposal of  
29 plastic bags in this Commonwealth.

30 (3) Ensure that its study addresses the need to preserve

1 the plastic bag disposal and recycling industries.

2 (4) Issue a report of its findings and recommendations  
3 under paragraph (1) to the General Assembly within two years  
4 of the effective date of this section.

5 (g) Duties of board.--The board shall have the following  
6 duties:

7 (1) To assist the department and the Department of  
8 Agriculture by providing written comments on departmental  
9 policy that will or could impact plastic bag recycling in  
10 this Commonwealth.

11 (2) To review and comment on the formulation and  
12 drafting of all legislation related to a ban, fee, tax or  
13 surcharge on plastic bags in this Commonwealth.

14 (3) To provide institutional support for the plastic bag  
15 recycling industry of this Commonwealth by ensuring effective  
16 cooperation and communication between the plastic bag  
17 recycling industry, governmental agencies and academic,  
18 environmental and research communities.

19 (4) To recommend appropriate measures relating to the  
20 promotion of plastic bag recycling in this Commonwealth.

21 (5) To develop a plan to increase public awareness  
22 related to plastic bag recycling programs in this  
23 Commonwealth.

24 (6) To develop a joint working group with the department  
25 and the Department of Agriculture to explore and develop  
26 economically viable plastic bag disposal and recycling  
27 options.

28 (h) Administrative support.--The department shall provide  
29 administrative support, office space and any other technical  
30 assistance required by the board to carry out its duties under

1 this act.

2 Section 4. Effective date.

3 This act shall take effect immediately.