

SENATE BILL 2131

By Briggs

AN ACT to amend Tennessee Code Annotated, Title 7,
Chapter 51 and Title 68, relative to environmental
protection.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 68, is amended by adding the following
as a new chapter:

68-218-101.

As used in this chapter:

(1) "Carryout bag":

(A) Means any bag made of paper or plastic that is designed for
one (1) use and provided gratuitously by a grocery store, retail store, or
food service establishment at the point of sale for the purpose of
transporting groceries, prepared foods, or consumer goods; and

(B) Does not include:

(i) A bag that lacks handles and is used to prevent an item
of food from damaging or contaminating another food item;

(ii) A bag intended to contain an unwrapped food item,
food items sold in bulk, or a hot food item;

(iii) A bag used as part of distributing newspapers; or

(iv) A bag used by a customer to transport dry cleaning or
pharmaceuticals;

(2) "Food service establishment" means any establishment, place or location, whether permanent, temporary, seasonal, or itinerant, where food is prepared and the public is offered to be served, or is served, prepared food;

(3) "Grocery store" means a business primarily engaged in the retail sale of packaged food for offsite consumption;

(4) "Retail store" means a business engaged in the sale of consumer goods; and

(5) "Reusable bag" means a bag that:

(A) Has handles;

(B) Can be cleaned or disinfected; and

(C) Is designed for at least one hundred twenty-five (125) uses, according to the American Society of Testing and Materials or any other nationally recognized standard.

68-218-102.

(a) A grocery store, retail store, or food service establishment shall not provide a carryout bag to a customer.

(b) This chapter does not prohibit a grocery store, retail store, or food service establishment from providing a customer with a complimentary reusable bag.

SECTION 2. This act shall take effect January 1, 2021, the public welfare requiring it.