

2022 Regular Session

SENATE BILL NO. 155

BY SENATOR CONNICK

ENVIRONMENTAL CONTROL. Prohibits certain uses of single-use plastic bags. (1/1/24)

1 AN ACT

2 To enact R.S. 30:2549, relative to environmental controls; to provide for statewide  
3 beautification; to prohibit the sale or availability of certain single-use plastic bags;  
4 to provide for definitions; to encourage reusable alternatives; to provide for  
5 penalties; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 30:2549 is hereby enacted to read as follows:

8 **§2549. Single-use plastic bag prohibition**

9 **A. For the purposes of this Section, the following terms have the**  
10 **following meanings:**

11 **(1) "Recyclable cardboard box" means a box made of nonwaxed**  
12 **cardboard or paper products.**

13 **(2) "Recyclable paper bag" means a paper bag that is one hundred**  
14 **percent recyclable including the handles, contains at least forty percent**  
15 **post-consumer paper content, and displays the word "recyclable" and the**  
16 **percentage of post-consumer paper content in a visible manner on the outside**  
17 **of the bag. The term "recyclable paper bag" does not include paper carryout**

1 bags at restaurants.

2 (3) "Retail sales establishment" means any person, natural or juridical,  
3 operating an enterprise where the sale or transfer to a customer of goods in  
4 exchange for payment occurs in a retail store, flea market, or restaurant or  
5 other food service establishment. Retail sales establishment does not include  
6 farmers' markets, bazaars, or festivals operated by nonprofit or religious  
7 institutions, yard sales, tag sales, or other sales by residents at their homes.

8 (4) "Reusable bag" means a bag with handles that are stitched, is  
9 specifically designed and manufactured for reuse, and is made primarily of  
10 washable cloth, other durable woven or nonwoven fabric, polyester,  
11 polypropylene, or other durable plastic with a minimum thickness of four mils.

12 (5) "Single-use plastic bag" means a carryout bag that is provided to the  
13 customer at the point of sale for the purpose of transporting groceries or other  
14 retail goods and is made from compostable or noncompostable plastic and not  
15 specifically designed and manufactured for multiple re-use. The term  
16 "single-use plastic bag" does not include the following types of bag:

17 (a) Bags used by customers inside a business to package loose items such  
18 as fruits, vegetables, nuts, ground coffee, grains, candies, or small hardware  
19 items.

20 (b) Bags used to contain or wrap frozen foods, meat or fish, flowers or  
21 potted plants, or other items to contain dampness or prevent contamination of  
22 other goods.

23 (c) Bags used to contain unwrapped prepared foods or bakery goods.

24 (d) Newspaper bags for home newspaper delivery.

25 (e) Door-hanger bags.

26 (f) Laundry, dry cleaning, or garment bags, including bags provided by  
27 hotels to guests to contain wet or dirty clothing.

28 (g) Bags sold in packages containing multiple bags intended for  
29 household or commercial use to contain foods and for garbage, pet waste, or

1 yard waste.

2 (h) Bags used to contain live animals, such as fish or insects sold in pet  
3 stores.

4 B.(1) No retail sales establishment shall sell, offer for sale, or provide to  
5 a person any single-use plastic bag. Retail sales establishments may sell or make  
6 available reusable bags, recyclable paper bags, or recyclable cardboard boxes.

7 (2) No retail sales establishment or other entity that makes deliveries of  
8 goods from retail sales establishments to customers shall deliver goods to  
9 customers in single-use plastic bags but may deliver goods in recyclable paper  
10 bags, reusable bags, or recyclable cardboard boxes.

11 (3) To promote the use of reusable shopping bags and reduce the  
12 quantity of single-use bags entering the waste stream, retailers may, and are  
13 encouraged to make, reusable carryout bags available to the public, targeting  
14 low-income households to the greatest degree possible.

15 C. Any retail sales establishment which violates the provisions of this  
16 Section are subject to a penalty of one hundred dollars for a first violation; two  
17 hundred dollars for a second violation; and five hundred dollars for a third and  
18 any subsequent violation of this Section.

19 Section 2. This Act shall become effective on January 1, 2024.

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The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Tyler S. McCloud.

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DIGEST

SB 155 Original

2022 Regular Session

Connick

Proposed law prohibits a retail sales establishment from selling, offering for sale, or providing single-use plastic bags. Further, reusable bags, recyclable paper bags, or recyclable cardboard boxes may be sold or made available by retail sales establishments.

Proposed law prohibits delivery of goods to customers in single-use plastic bags from retail sales establishments and other entities that makes deliveries from retail sales establishments. However, deliveries of goods may be in recyclable paper bags, reusable bags, or recyclable cardboard boxes.

Proposed law authorizes and encourages retailers to make reusable carryout bags available to the public to promote their use.

Proposed law provides penalties for violations of proposed law by retail sales establishments

are \$100 for the first violation, \$200 for the second violation, and \$500 for the third and any subsequent violation.

Proposed law provides for definitions including a "single-use plastic bag" and items not included as a "single-use plastic bag".

Effective January 1, 2024.

(Adds R.S. 30:2549)