

CS FOR HOUSE BILL NO. 81(CRA)

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-FIRST LEGISLATURE - FIRST SESSION

BY THE HOUSE COMMUNITY AND REGIONAL AFFAIRS COMMITTEE

Offered: 4/26/19

Referred: Labor and Commerce

Sponsor(s): REPRESENTATIVE JOSEPHSON

A BILL

FOR AN ACT ENTITLED

1 **"An Act prohibiting disposable plastic shopping bags; and providing for an effective**
2 **date."**

3 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

4 * **Section 1.** AS 46.06 is amended by adding a new section to read:

5 **Sec. 46.06.145. Shopping bags.** (a) Except as provided in (b) of this section, a
6 retail seller of goods or services may not provide a disposable plastic shopping bag to
7 a purchaser to carry away or protect goods purchased from, or serviced by, the retail
8 seller.

9 (b) The prohibition established in (a) of this section does not apply to a
10 disposable plastic shopping bag that is

11 (1) used only to contain a product that does not have other packaging,
12 including bulk grains, fruit, nuts, vegetables, meat, candy, bakery goods, prepared
13 foods, or other food products or small hardware items;

14 (2) used only to contain ice;

- (3) used only to contain or wrap flowers;
- (4) provided by a pharmacist for the sole purpose of containing prescription drugs;
- (5) used only to package an unconsumed portion of a bottle of wine in compliance with AS 04.16.120;
- (6) used only to contain a newspaper;
- (7) sold in packages containing multiple bags intended for use as garbage, pet waste, or yard waste bags; or
- (8) a reusable bag.

(c) The department may assess an administrative fine against a retail seller that violates (a) of this section. An administrative fine under this subsection may not exceed

- (1) \$250 for a first violation;
- (2) \$500 for a second violation within one year; and
- (3) \$750 for each violation after a second violation within one year.

(d) In this section,

(1) "disposable plastic shopping bag" means a bag made exclusively or partially of plastic, other than a reusable bag;

(2) "retail seller" includes a market, grocery store, convenience store, drug store, or other retail establishment that

(A) sells goods to consumers; and

(B) is located in a permanent building;

(3) "reusable bag" means a bag that

(A) is designed and manufactured to withstand repeated use over time;

(B) is machine washable or is made from material that can be cleaned and disinfected regularly;

(C) if it is made from plastic, is made with plastic that is at least four mils thick; and

(D) is designed to have a minimum lifetime of 75 uses.

* **Sec. 2.** This Act takes effect January 1, 2021.