

## LEGISLATIVE DIGEST

[Environment Code - Checkout Bag Charge; Recyclable or Compostable Pre-Checkout Bags]

**Ordinance amending the Environment Code to raise the amount stores must charge for checkout bags from 10 cents to 25 cents per bag; to require that pre-checkout bags provided to customers before they reach the point of sale be recyclable or compostable; and affirming the Planning Department's determination under the California Environmental Quality Act.**

### Existing Law

Since 2007, Chapter 17 of the Environment Code has required stores that provide checkout bags to customers to provide only recyclable paper bags, and/or compostable plastic bags, and/or reusable bags. Since 2012, Chapter 17 has also required stores to charge at least ten cents per recyclable paper or reusable checkout bag, and since 2013, required stores to charge at least ten cents per compostable plastic checkout bag, for bags provided to customers at the point of sale.

California Senate Bill 270, passed in 2014 and enacted by the voters in 2016 after a referendum, prohibits stores statewide from providing a single-use carryout bag to a customer at the point sale free of charge. Stores in California may only offer carryout bags at the point of sale that are reusable, made with recyclable paper, or compostable, and only for a charge not less than ten cents per bag. SB 270 expressly occupies the field of regulation of reusable grocery, single-use, and recycled paper carryout bags that stores provide to customers at the point of sale. It permits municipalities with laws regulating bags provided at the point of sale adopted prior to September 1, 2014 to continue enforcing and implementing such laws—but these municipalities may only amend their laws to increase the minimum amount stores must charge for acceptable carryout bags to an amount no less than ten cents per bag.

SB 270 also requires stores to use money collected from carryout bag charges only for costs associated with complying with the state law, actual costs of providing recycled paper or reusable grocery bags, or costs associated with a store's educational materials or educational campaign encouraging use of reusable grocery bags.

### Amendments to Current Law

This ordinance would raise the amount San Francisco requires stores to charge for recyclable paper bags, and/or compostable plastic bags, and/or reusable bags, from a minimum of ten cents per bag to a minimum of 25 cents per bag.

FILE NO. 190417

This ordinance would also require stores that provide pre-checkout bags to customers before they reach the point of sale, that are designed to protect purchased items from one another in a checkout bag, or to contain unwrapped food or other loose items, to provide only compostable pre-checkout bags or recyclable paper pre-checkout bags.

These provisions would become operative on July 1, 2020.

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