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H. B. 3058

(By Delegate Rodighiero and Reynolds)

[Introduced March 11, 2009; referred to the

Committee on Energy, Industry and Labor, Economic Development and Small Business then the Judiciary.]

A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §22-15-24, relating to eliminating the use of light plastic bags.

Be it enacted by the Legislature of West Virginia:

That the Code of West Virginia, 1931, as amended, be amended by adding thereto a new section, designated §22-15-24, to read as follows:

ARTICLE 15. SOLID WASTE MANAGEMENT ACT.

§22-15-24. Elimination of light plastic bags.

(a) Beginning on July 1, 2009, all retail establishments shall phase out the use of light plastic bags used for consumer purchases and must eliminate the use of light plastic bags by July 1, 2012.

(b) As part of this elimination of plastic bag program, all retailers are required to:

(1) Provide customers with compostable bags;

(2) Label bags to return to store for recycling;

(3) Place recycling bins in visible and accessible locations for customer use; or

(4) Make available for purchase reusable bags for customers to use.

NOTE: The purpose of this section is to eliminate plastic bags from use in retail establishments or make available reusable bags.

Strike-throughs indicate language that would be stricken from the present law, and underscoring indicates new language that would be added.