

**Public Act 095-0268**

SB0303 Enrolled

LRB095 08890 CMK 29077 b

AN ACT concerning safety.

**Be it enacted by the People of the State of Illinois,  
represented in the General Assembly:**

Section 1. Short title. This Act may be cited as the Plastic Bag Recycling Act.

Section 5. Definitions. As used in this Act:

"Agency" means the Illinois Environmental Protection Agency.

"Consumer" means any person who makes a purchase at retail for any purpose other than resale.

"Distributing plastic bags to consumers" means the act of a retailer giving to a consumer a plastic bag to store or transport goods purchased at retail.

"Plastic bag" means any plastic, latex, or polypropylene bag.

"Purchase at retail" means the acquisition of the ownership of or title to tangible personal property through a sale at retail.

"Retailer" means a person engaged in the business of making sales at retail that owns or controls more than 10,000 square feet of retail space in Lake County.

Section 10. Recycling pilot program in Lake County.

(a) Within 90 days after the first meeting of the Plastic Bag Recycling Task Force, the Task Force shall promulgate procedures and guidelines implementing a voluntary plastic bag recycling pilot program for retailers in Lake County. The Agency shall administer the pilot program under the procedures and guidelines adopted by the Task Force.

Retailers, as defined by Section 5 of this Act, that are participating in the pilot program and distributing plastic bags to consumers free of charge as part of a purchase at retail must:

(1) implement a plastic bag collection program that facilitates the return and recycling of plastic bags distributed to consumers by that retailer;

(2) provide a clearly marked receptacle for the collection of plastic bags that is in a convenient location for that retailer's consumers; and

(3) arrange for the pick-up, transport, and recycling of plastic bags deposited in the collection receptacles by consumers.

(b) In meeting the pilot program guidelines, retailers may work individually or as part of a group.

(c) The provisions of this Section are subject to appropriation.

Section 15. Task Force.

(a) The Plastic Bag Recycling Task Force is created. The Task Force shall consist of one legislator appointed by each of the following: the President of the Senate, the Minority Leader of the Senate, the Speaker of the House of Representatives, and

the Minority Leader of the House of Representatives; 3 representatives of a statewide association exclusively representing retailers; and one representative from each of the following:

- (1) a plastic film recycler;
- (2) the Solid Waste Agency of Lake County;
- (3) the Illinois Environmental Protection Agency; and
- (4) the Lake County Board.

Within 90 days after the effective date of this Act the Plastic Bag Recycling Task Force shall be formed. The Task Force shall meet at least twice a year. The Agency shall chair the meetings and facilitate the Task Force.

(b) On or before March 1, 2010, the Task Force, in collaboration with the Agency, shall compile and submit a report to the Governor, the President of the Senate, the Minority Leader of the Senate, the Speaker of the House of Representatives, and the Minority Leader of the House of Representatives, discussing, but not limited to, the following topics:

- (1) enrollment in the pilot program;
- (2) benefits and costs to the environment, retailers, residents of Lake County;
- (3) cost-benefit analysis of the pilot program;
- (4) any burden suffered as a result of the pilot program; and
- (5) any unforeseen transportation issues, liability, or costs for participants in the pilot program.

Section 90. Repealer. This Act is repealed June 1, 2010.

**Effective Date: 1/1/2008**