

Senate Bill 280

By: Senators James of the 35th, Davenport of the 44th, Orrock of the 36th, Jones of the 10th,
Seay of the 34th and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 8 of Title 12 of the Official Code of Georgia Annotated, relating to waste
2 management, so as to prohibit the distribution of certain bags made of plastic film by certain
3 retail establishments; to provide for definitions; to provide for related matters; to repeal
4 conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 style="text-align:center">**SECTION 1.**

7 Chapter 8 of Title 12 of the Official Code of Georgia Annotated, relating to waste
8 management, is amended by adding a new article to read as follows:

9 style="text-align:center">"ARTICLE 10

10 12-8-300.

11 As used in this article, the term:

12 (1) 'Exempt bag' means:

13 (A) A bag used solely to:

14 (i) Contain or wrap uncooked meat, fish, or poultry;

15 (ii) Package bulk items such as fruits, vegetables, grains, or candy;

16 (iii) Contain food sliced or prepared to order;

17 (iv) Contain a newspaper for delivery to a subscriber;

18 (v) Collect trash; or

19 (vi) Store food in refrigeration;

20 (B) Garment bags;

21 (C) Bags prepackaged for sale to a customer;

22 (D) Bags provided for the carryout or delivery of prepared food; or

23 (E) Bags provided by a pharmacy to carry prescription drugs.

24 (2) 'Plastic carryout bag' means any bag made of plastic film other than an exempt bag.

25 12-8-301.

26 On and after January 1, 2021, no persons who are engaged as dealers in the sale at retail
27 and who are subject to the collection of sales and use taxes under Part 2 of Article 1 of
28 Chapter 8 of Title 48 shall distribute any plastic carryout bags to customers.

29 12-8-302.

30 Any person who violates any provision of this article shall be guilty of a misdemeanor.
31 Each distribution of a plastic carryout bag that is in violation of this article shall be a
32 separate offense."

33 **SECTION 2.**

34 All laws and parts of laws in conflict with this Act are repealed.