

2021 -- S 0761

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2021

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A N A C T

RELATING TO PUBLIC PROPERTY AND WORKS -- STATE PURCHASES

Introduced By: Senators Miller, Seveney, Murray, DiMario, and Euer

Date Introduced: April 01, 2021

Referred To: Senate Finance

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 2 of Title 37 of the General Laws entitled "State Purchases" is hereby
2 amended by adding thereto the following section:

3 **37-2-82. State purchasing ban on plastic bottles, bags and polystyrene.**

4 (a) State funds shall not be used to purchase single-serving bottled water for use in facilities
5 that are served by public water supplies or potable well water, except when required for safety,
6 health or emergency situations.

7 (b) State funds shall not be used to purchase single-use plastic checkout bags or expanded
8 polystyrene, except when required for safety, health or emergency situations.

9 (c) State governmental entities shall be prohibited from entering into a contract with:

10 (1) A food service provider that provides and/or makes available single-use plastic
11 checkout bags; or

12 (2) A food service provider that provides food in single service articles that consist of
13 expanded polystyrene.

14 (d)(1) For purposes of this section, "single-use plastic checkout bag" means a carryout bag
15 that is provided to the consumer at the point of sale for the purpose of transporting food, groceries
16 or other retail goods, and is made from compostable or non-compostable plastic and not specifically
17 designed and manufactured for multiple re-use. The term "single-use plastic checkout bag" does
18 not include the following types of bag: (i) Bags used by consumers inside a business to package
19 loose items, such as fruits, vegetables, nuts, ground coffee, grains, candies or small hardware items;

1 or (ii) Bags used to contain or wrap frozen foods, meat or fish, flowers or potted plants, or other
2 items to contain dampness or prevent contamination of other goods.

3 (2) For purposes of this section, “expanded polystyrene” means polystyrene that has been
4 expanded into a solid foam. Expanded polystyrene does not include expanded polystyrene
5 containers used for prepackaged food that have been filled and sealed prior to receipt by the food
6 service establishment, mobile food commissary or store; or expanded polystyrene containers used
7 to store raw meat, port, fish, seafood or poultry sold from a butcher case or similar retail
8 establishment.

9 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T

RELATING TO PUBLIC PROPERTY AND WORKS -- STATE PURCHASES

1 This act would prohibit the use of state funds to purchase single-serving bottled water for
2 use in facilities where public water or well water is available, and the purchase of single-use plastic
3 bags or expanded polystyrene, except when required for safety, health or emergency situations.

4 This act would further prohibit any governmental entity from entering into a contract with a food
5 service provider that provides or makes available single-use plastic bags or provides food in single
6 service containers that consist of expanded polystyrene.

7 This act would take effect upon passage.

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