

2023 -- H 5471

LC001265

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2023

A N A C T

RELATING TO PUBLIC PROPERTY AND WORKS -- STATE PURCHASES

Introduced By: Representatives Boylan, Carson, Ajello, Spears, McGaw, Speakman,
Kislak, Knight, McEntee, and Cortvriend

Date Introduced: February 08, 2023

Referred To: House Finance

It is enacted by the General Assembly as follows:

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

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:

19 (i) Bags used by consumers inside a business to package loose items, such as fruits,

1 vegetables, nuts, ground coffee, grains, candies or small hardware items; or

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

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

10 **37-2-83. State purchasing -- Alternative fueled vehicles.**

11 (a) State funds shall be used to lease or purchase alternative fueled vehicles and electric
12 vehicle infrastructure for use by state agencies.

13 (b)(1) For purposes of this section, "alternative fueled vehicles" means a vehicle that uses
14 one or more electric motors for propulsion. Alternative fueled vehicles include light and medium
15 duty passenger vehicles, light and heavy-duty vehicles, buses, emergency vehicles, bicycles, and
16 scooters. Alternative fueled vehicles do not include hybrid electric vehicles or HEVs that require
17 use of an internal combustion engine and emit carbon emissions.

18 (2) For the purposes of this section, "electric vehicle infrastructure" means structures,
19 machinery, and equipment necessary and integral to support an electric vehicle, including battery
20 charging stations, rapid charging stations, and battery exchange stations.

21 (c) If a combustion engine vehicle cannot be replaced with an electric vehicle due to limited
22 supply or inadequate replacement, the state may lease or purchase a hybrid vehicle until a time
23 when a comparable vehicle is available.

24 **37-2-84. State purchasing -- Renewable energy and efficient technologies.**

25 (a) State funds shall be used to purchase renewable and energy efficient technologies for
26 use on state properties to improve existing infrastructure, reduce energy consumption and
27 greenhouse gas emissions.

28 (b) For the purpose of this section, "renewable energy technologies" means any system that
29 collects energy from renewable resources such as sunlight, wind, waves, and geothermal heat.
30 "Energy efficiency technologies" means technology certified as energy efficient, which uses less
31 energy and reduces pollution. Renewable energy systems and efficient technologies may be located
32 on or within the physical structure of a state owned building or located on state owned property.

33 (c) The state shall install renewable energy and efficient technologies in new buildings or
34 during the renovation or repairing of an existing state property. For new and existing structures

1 energy efficient systems may include air conditioning systems, ventilation systems, heating
2 systems, domestic hot water heating systems, compressed air systems, distribution systems,
3 lighting systems, power systems, and controls of the building.

4 **37-2-85 State purchasing -- Recycling in state buildings.**

5 (a) State funds shall be used to purchase recycling bins for all state buildings to ensure
6 proper disposal of recyclable items. For any state facility with a cafeteria, state purchasing shall
7 require the use of biodegradable and compostable materials. Cafeterias shall provide biodegradable
8 or compostable utensils, straws, cups, plates, and napkins by January 1, 2024. No plastic plates,
9 cutlery, or drinkware shall be offered after January 1, 2024.

10 (b) To reduce the amount of waste entering our state landfill, state funds shall be used to
11 lease or purchase compostable bins for state facilities, along with contracting with a compost
12 disposal service.

13 (c) For the purposes of this section, "compostable materials" means an organic material
14 that has the potential to be composted and not co-mingled or contaminated by significant amounts
15 of toxic substances. Compostable material includes leaves, twigs, dead flowers, straw, corn stalks,
16 shredded cardboard and paper, paper towels and napkins, vacuum cleaner bag contents, dryer lint,
17 untreated wood chips and saw dust, vegetable and fruit scraps, spoiled vegetables and fruits,
18 eggshells, coffee grounds and filters, tea bags, grass clippings, and fresh plant and yard trimmings.

19 (d) The state shall require all agencies to implement a recycling and compost program no
20 later than January 1, 2025.

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

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
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RELATING TO PUBLIC PROPERTY AND WORKS -- STATE PURCHASES

- 1 This act would ban state purchases of plastic bottles, bags and polystyrene. It would also
- 2 require state funds to be used to lease or purchase alternative fueled vehicles and renewable energy
- 3 efficient technologies for use on state property.
- 4 This act would take effect upon passage.

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