



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

SB0132

Introduced 1/17/2025, by Sen. Laura Fine

SYNOPSIS AS INTRODUCED:

New Act

Creates the Plastic Bottle Cap Reduction Act. Provides that, beginning January 1, 2029, a manufacturer may not sell, offer for sale, or distribute for sale in the State a single-use plastic beverage container with a plastic beverage cap unless the plastic beverage cap is composed of a plastic resin with the same resin identification code as the single-use plastic beverage container and the cap either (1) is tethered to the container in a manner that prevents the separation of the cap from the container when the cap is removed or (2) includes an opening from which the beverage can be consumed while the cap remains screwed onto or otherwise affixed to the container. Provides that a manufacturer that produces single-use plastic beverage containers shall provide to the Environmental Protection Agency upon request all information necessary for the Agency to determine the manufacturer's compliance with the Act. Provides for an entity with a legally recognized corporate relationship to a manufacturer to assume the manufacturer's responsibilities under the Act. Provides that the requirements of the Act do not apply to a manufacturer of beer, wine, or spirits that annually produces 50,000 gallons or less of any one or more of those products or to a manufacturer of beverages other than beer, wine, or spirits that annually produces 250,000 or fewer single-use plastic beverage containers containing its product. Provides that any person who violates any provision of the Act shall be liable for a civil penalty of \$1,000 per violation per day. Authorizes the Attorney General or State's Attorney to prosecute violations of the Act. Defines terms.

LRB104 03159 BDA 13180 b

1 AN ACT concerning safety.

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

4 Section 1. Short title. This Act may be cited as the
5 Plastic Bottle Cap Reduction Act.

6 Section 5. Definitions. As used in this Act, unless the
7 context requires otherwise:

8 "Agency" means the Environmental Protection Agency.

9 "Beverage" means any of the following products that are in
10 liquid, ready-to-drink form, are in plastic beverage
11 containers of 16 ounces or less, and are intended for human
12 consumption: beer and malt beverages; wine, wine coolers, or
13 distilled spirits coolers; carbonated and noncarbonated water;
14 soda; carbonated and noncarbonated soft drinks and fruit
15 drinks; coffee and tea drinks; and vegetable juice.

16 "Manufacturer" means a person, partnership, association,
17 corporation, or other entity that, through its own action or
18 through contract or control of another entity, is primarily
19 responsible for the production of a beverage held in a
20 single-use plastic beverage container and sold, offered for
21 sale, or distributed for sale in the State.

22 "Plastic" means a synthetic material made from fossil fuel
23 or organic-based polymers that can be molded or blown into

1 specific shapes. "Plastic" includes polyethylene, polystyrene,
2 polypropylene, and polycarbonate.

3 "Plastic beverage cap" means a cap that is composed wholly
4 or primarily of plastic and that is screwed onto or otherwise
5 affixed to a single-use plastic beverage container. "Plastic
6 beverage cap" does not include a cap that is composed wholly or
7 primarily of a nonplastic material but also contains a plastic
8 seal.

9 "Single-use plastic beverage container" means an
10 individual bottle, can, jar, carton, or other container that:

- 11 (1) is composed wholly or primarily of plastic;
- 12 (2) contains one liter or less of a beverage; and
- 13 (3) is intended to be disposed of after one use.

14 "Single-use plastic beverage container" does not include a
15 bottle, jar, carton, or container that is composed wholly or
16 primarily of nonplastic materials but also contains a plastic
17 beverage cap; a cup or other similar open or loosely sealed
18 container; or a container that is intended by the producer to
19 be reused for the same purpose multiple times.

20 Section 10. Plastic beverage caps. Beginning January 1,
21 2029, a manufacturer may not sell, offer for sale, or
22 distribute for sale in the State a single-use plastic beverage
23 container with a plastic beverage cap unless the plastic
24 beverage cap is composed of a plastic resin with the same resin
25 identification code as the single-use plastic beverage

1 container as determined in accordance with the Standard
2 Practice for Coding Plastic Manufactured Articles for Resin
3 Identification of the American Society for Testing and
4 Materials, ASTM D7611, and:

5 (1) the plastic beverage cap is tethered to the single-use
6 plastic beverage container in a manner that prevents the
7 separation of the plastic beverage cap from the single-use
8 plastic beverage container when the plastic beverage cap is
9 removed; or

10 (2) the plastic beverage cap includes an opening from
11 which the beverage can be consumed while the plastic beverage
12 cap remains screwed onto or otherwise affixed to the
13 single-use plastic beverage container.

14 Section 15. Manufacturer compliance.

15 (a) A manufacturer that produces single-use plastic
16 beverage containers shall provide to the Agency upon request
17 all information necessary for the Agency to determine the
18 manufacturer's compliance with the requirements of this Act.

19 (b) In determining whether an entity meets the definition
20 of "manufacturer" under Section 5, the Agency shall consider,
21 without limitation, the following factors:

22 (1) the ownership of the brand name of the beverage
23 contained in the single-use plastic beverage container;

24 (2) the primary control or influence over the design
25 of the beverage contained in the single-use plastic

1 beverage container; and

2 (3) the primary control or influence over the design
3 of the single-use plastic beverage container in which the
4 beverage is contained.

5 (c) An entity with a legally recognized corporate
6 relationship to a manufacturer that is subject to the
7 requirements of this Section may, on behalf of that
8 manufacturer and following notification to the Agency, assume
9 the manufacturer's responsibilities under this Act.

10 (d) The requirements of this Act do not apply to a
11 manufacturer of beer, wine, or spirits that annually produces
12 50,000 gallons or less of any one or more of those products or
13 to a manufacturer of beverages other than beer, wine, or
14 spirits that annually produces 250,000 or fewer single-use
15 plastic beverage containers containing its product.

16 Section 20. Enforcement and penalties.

17 (a) Any person who violates any provision of this Act
18 shall be liable for a civil penalty of \$1,000 per violation per
19 day.

20 (b) The Attorney General or the State's Attorney of the
21 county where the violation occurs may enforce this Act by
22 bringing an action for civil penalties for violation of this
23 Act, for equitable relief to prevent violation of this Act, or
24 for a combination of civil penalties and equitable relief
25 under this Act.