

1 AN ACT concerning finance.

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

4 Section 5. The Illinois Procurement Code is amended by
5 adding Section 45-23 as follows:

6 (30 ILCS 500/45-23 new)

7 Sec. 45-23. Single-use plastics prohibition; preference.

8 (a) For the purposes of this Section:

9 "Compostable" means that the item meets the ASTM D6400
10 standard of compostability and has been certified by the
11 Biodegradable Products Institute as compostable.

12 "Compostable foodware" means containers, bowls, straws,
13 plates, trays, cartons, cups, lids, forks, spoons, knives, and
14 other items that are designed for one-time use for beverages,
15 prepared food, or leftovers from meals that are compostable.

16 "Plastic" means a synthetic material made from linking
17 monomers through a chemical reaction to create an organic
18 polymer chain that can be molded or extruded at high heat into
19 various solid forms retaining their defined shapes during
20 their life cycle and after disposal.

21 "Recyclable foodware" means items that are designed for
22 one-time use for beverages, prepared food, or leftovers from
23 meals and that are commonly accepted in local curbside

1 residential recycling pick up.

2 "Single-use plastic disposable foodware" means containers,
3 bowls, straws, plates, trays, cartons, cups, lids, forks,
4 spoons, knives, and other items that are designed for one-time
5 use for beverages, prepared food, or leftovers from meals and
6 that are made of plastic, are not compostable, and are not
7 accepted in residential curbside recycling pick up.

8 (b) When a State agency or institution of higher education
9 is to award a contract to the lowest responsible bidder, an
10 otherwise qualified bidder who will fulfill the contract
11 through the use of compostable foodware or recyclable foodware
12 may be given preference over other bidders unable to do so;
13 provided that the bid is not more than 5% greater than the cost
14 of products that are single-use plastic disposable foodware.

15 The contract awarded the cost preference in this subsection
16 (b) shall also include the option of providing the State
17 agency or institution of higher education with single-use
18 plastic straws.

19 (c) After January 1, 2023, State agencies and departments
20 may not procure single-use plastic disposable foodware for use
21 at any State parks or natural areas, and instead shall offer
22 only compostable foodware or recyclable foodware for use at
23 State parks or natural areas.

24 (d) After January 1, 2024, or at the renewal of its next
25 contract, whichever occurs later, no vendor contracted through
26 a State agency or department may provide customers with

1 single-use plastic disposable foodware at any site located at
2 a State park or a natural area, and instead shall offer only
3 compostable foodware or recyclable foodware for use at State
4 parks or natural areas.

5 (e) This Section does not apply to the procurement of
6 supplies for the Illinois State Fair.