



Sen. Julie A. Morrison

Filed: 2/18/2022

10200SB1915sam003

LRB102 11543 RJF 36525 a

1 AMENDMENT TO SENATE BILL 1915

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 1915 by replacing  
3 everything after the enacting clause with the following:

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

1 monomers through a chemical reaction to create an organic  
2 polymer chain that can be molded or extruded at high heat into  
3 various solid forms retaining their defined shapes during  
4 their life cycle and after disposal.

5 "Recyclable foodware" means items that are designed for  
6 one-time use for beverages, prepared food, or leftovers from  
7 meals that are commonly accepted in local curbside residential  
8 recycling pick up.

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

15 (b) When a State agency or institution of higher education  
16 is to award a contract to the lowest responsible bidder, an  
17 otherwise qualified bidder who will fulfill the contract  
18 through the use of compostable foodware or recyclable foodware  
19 may be given preference over other bidders unable to do so;  
20 provided that the bid is not more than 5% greater than the cost  
21 of products that are not single-use plastic disposable  
22 foodware. The contract awarded the cost preference in this  
23 subsection (b) shall also include the option of providing the  
24 State agency or institution of higher education with  
25 single-use plastic straws.

26 (c) When any State contract is to be awarded for or

1 including single-use disposable foodware, the State agency or  
2 institution of higher education shall include a requirement  
3 that the responsible bidder or offeror provide a compostable  
4 or recyclable alternative to single-use disposable foodware.  
5 The State agency or institution of higher education shall  
6 select the compostable or recyclable alternative unless its  
7 cost exceeds its single-use alternative by more than 10%. The  
8 contract or award that is to be awarded the cost preference in  
9 this subsection (c) shall also include the option of providing  
10 the State agency or institution of higher education with  
11 single-use plastic straws.

12 (d) After January 1, 2023, State agencies and departments  
13 may not procure single-use plastic disposable foodware for use  
14 at any State parks or natural areas, and instead shall offer  
15 only compostable foodware or recyclable foodware for use at  
16 State parks or natural areas.

17 (e) After January 1, 2024, or at the renewal of its next  
18 contract, whichever occurs later, no vendor contracted through  
19 a State agency or department may provide customers with  
20 single-use plastic disposable foodware at any site located at  
21 a State park or a natural area, and instead shall offer only  
22 compostable foodware or recyclable foodware for use at State  
23 parks or natural areas.

24 (f) This Section does not apply to the procurement of  
25 supplies for the Illinois State Fair."