



97TH GENERAL ASSEMBLY

State of Illinois

2011 and 2012

HB1469

by Rep. Jack D. Franks

SYNOPSIS AS INTRODUCED:

New Act

Creates the McHenry County Plastic Bag Recycling Act and the McHenry County Plastic Bag Recycling Task Force. Requires the Task Force to promulgate procedures and guidelines implementing a voluntary plastic bag recycling pilot program for retailers in McHenry County. Requires retailers that participate in the voluntary program to comply with certain requirements. Sets out the composition and duties of the Task Force. Provides that the Task Force and the Environmental Protection Agency shall collaborate on a report to be submitted to the Governor and the General Assembly by March 1, 2013. Provides that the Act is repealed on June 1, 2013.

LRB097 06327 JDS 46407 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

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 McHenry County Plastic Bag Recycling Act.

6 Section 5. Definitions. As used in this Act:

7 "Agency" means the Illinois Environmental Protection
8 Agency.

9 "Consumer" means any person who makes a purchase at retail
10 for any purpose other than resale.

11 "Distributing plastic bags to consumers" means the act of a
12 retailer giving to a consumer a plastic bag to store or
13 transport goods purchased at retail.

14 "Plastic bag" means any plastic, latex, or polypropylene
15 bag.

16 "Purchase at retail" means the acquisition of the ownership
17 of or title to tangible personal property through a sale at
18 retail.

19 "Retailer" means a person engaged in the business of making
20 sales at retail that owns or controls more than 10,000 square
21 feet of retail space in McHenry County.

22 Section 10. Recycling pilot program in McHenry County.

1 (a) Within 90 days after the first meeting of the McHenry
2 County Plastic Bag Recycling Task Force, the Task Force shall
3 promulgate procedures and guidelines implementing a voluntary
4 plastic bag recycling pilot program for retailers in McHenry
5 County. The Agency shall administer the pilot program under the
6 procedures and guidelines adopted by the Task Force.

7 Retailers, as defined by Section 5 of this Act, that are
8 participating in the pilot program and distributing plastic
9 bags to consumers free of charge as part of a purchase at
10 retail must:

11 (1) implement a plastic bag collection program that
12 facilitates the return and recycling of plastic bags
13 distributed to consumers by that retailer;

14 (2) provide a clearly marked receptacle for the
15 collection of plastic bags that is in a convenient location
16 for that retailer's consumers; and

17 (3) arrange for the pick-up, transport, and recycling
18 of plastic bags deposited in the collection receptacles by
19 consumers.

20 (b) In meeting the pilot program guidelines, retailers may
21 work individually or as part of a group.

22 (c) The provisions of this Section are subject to
23 appropriation.

24 Section 15. Task Force.

25 (a) The McHenry County Plastic Bag Recycling Task Force is

1 created. The Task Force shall consist of one legislator
2 appointed by each of the following: the President of the
3 Senate, the Minority Leader of the Senate, the Speaker of the
4 House of Representatives, and the Minority Leader of the House
5 of Representatives; 3 representatives of a statewide
6 association exclusively representing retailers; and one
7 representative from each of the following:

- 8 (1) a plastic film recycler;
- 9 (2) the McHenry County Department of Health;
- 10 (3) the Illinois Environmental Protection Agency; and
- 11 (4) the McHenry County Board.

12 Within 90 days after the effective date of this Act the
13 McHenry County Plastic Bag Recycling Task Force shall be
14 formed. The Task Force shall meet at least twice a year. The
15 Agency shall chair the meetings and facilitate the Task Force.

16 (b) On or before March 1, 2013, the Task Force, in
17 collaboration with the Agency, shall compile and submit a
18 report to the Governor, the President of the Senate, the
19 Minority Leader of the Senate, the Speaker of the House of
20 Representatives, and the Minority Leader of the House of
21 Representatives, discussing, but not limited to, the following
22 topics:

- 23 (1) enrollment in the pilot program;
- 24 (2) benefits and costs to the environment, retailers,
25 residents of McHenry County;
- 26 (3) cost-benefit analysis of the pilot program;

1 (4) any burden suffered as a result of the pilot
2 program; and

3 (5) any unforeseen transportation issues, liability,
4 or costs for participants in the pilot program.

5 Section 90. Repealer. This Act is repealed June 1, 2013.