

House _____ Amendment NO. _____

Offered By _____

1 AMEND Senate Bill No. 757, Page 5, Section 70.370, Line 128, by inserting immediately after all
2 of said section and line the following:

3
4 "260.283. ~~[1. All merchants, itinerant vendors, and peddlers doing business in this state~~
5 ~~shall have the option to provide customers either a paper or a plastic bag for the packaging of any~~
6 ~~item or good purchased, provided such purchase is of a size and manner commensurate with the use~~
7 ~~of paper and plastic bags.~~

8 ~~2. Notwithstanding any other provision of law, no political subdivision shall impose any~~
9 ~~ban, fee, or tax upon the use of either paper or plastic bags for packaging of any item or good~~
10 ~~purchased from a merchant, itinerant vendor, or peddler. No political subdivision shall prohibit a~~
11 ~~consumer from using a reusable bag for the packaging of any item or good purchased from a~~
12 ~~merchant, itinerant vendor, or peddler.]~~

13 1. As used in this section, "auxiliary container" means any bag, cup, package, container,
14 bottle, or other packaging that is:

15 (1) Made of cloth, paper, plastic, foamed plastic, expanded plastic, cardboard, corrugated
16 material, aluminum, glass, post-consumer recycled material, or similar material including, but not
17 limited to, coated or laminated materials; and

18 (2) Designed for, but not limited to, consuming, transporting, or protecting merchandise,
19 food, or beverages from, or at, a food service facility or retail facility.

20 2. Except for subsection 4 of this section, notwithstanding any law, ordinance, or rule to the
21 contrary, no political subdivision shall restrict, tax, prohibit, or issue any ordinance regulating the
22 use, disposition, or sale of auxiliary containers.

23 3. Nothing in this section shall prohibit or limit any county or municipal ordinance or
24 agreement regarding a recycling program or the disposal of solid waste.

25 4. Subsection 2 of this section shall not apply to the use of auxiliary containers on property
26 owned by a county or municipality."; and

27
28 Further amend said bill by amending the title, enacting clause, and intersectional references
29 accordingly.

Action Taken _____ Date _____