



Summit for Recycling
&
Rocky Mountain Composting Symposium

Barriers and Success with Plastic Ban Implementation at the Local Government Level

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August 23 - 24, 2022 Aurora, Colorado





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HB21-1162 Plastic Pollution Reduction Act

Policy Overview

- Remove pre-emption and allow local communities to have control on plastic pollution
- Ban plastic bags statewide and charge a fee on paper bags
- Ban polystyrene food containers statewide



HB21-1162 Plastic Pollution Reduction Act

Policy Overview

Bag Fees

- **Beginning Jan. 1, 2023 - \$0.10 fee on plastic and paper carryout bags**
- **Affects large grocery and retail stores**
- **Restaurants and small Colorado-only stores with 3 or fewer locations excluded**
- **Retailer keeps \$0.04 to implement the program**
- **Municipalities and Counties (unincorporated) receive \$0.06 to implement program, enforce the law, fund recycling, composting, waste diversion programs, and education**
- **Does not apply to customers with federal or state food assistance programs**
- **Fee on plastic bags ends Jan. 1, 2024**

HB21-1162 Plastic Pollution Reduction Act

Policy Overview

Bag Ban

- **Beginning Jan. 1, 2024 – Ban plastic carryout bags**
- **Affects large grocery and retail stores**
- **Restaurants and small Colorado-only stores with 3 or fewer locations excluded**
- **Stores can use up any remaining stock of bags until June 1, 2024 as long as they were purchased by Jan. 1, 2024**

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Policy Overview

Polystyrene Ban

- **Beginning Jan. 1, 2024 – Ban polystyrene food containers and cups**
- **Affects all restaurants and schools**
- **Retail food establishments can use up any polystyrene containers purchased by Jan. 1, 2024 until they are gone**

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Policy Overview

Removal of Pre-emption

- **Beginning July. 1, 2024 – municipalities and counties can enact, implement and enforce more stringent laws**
- **Local governments can enact and enforce laws that prohibit, restrict or mandate the use or sale of plastic materials, containers, packaging or labeling**
- **Exempts packaging for medical products including drugs, medical devices or dietary supplements**

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Policy Overview

Enforcement

- Left to local governments
- May enforce violations in the manner that the local government chooses
- Counties may seek injunctive relief against the violating restaurant or store up to \$500 for second violation and up to \$1000 for a third or subsequent violation
- Counties may also impose a civil penalty against violators
- Exempts schools from enforcement

History



Barriers



Success



Opportunities for Collaboration and Partnerships



What does the Future Hold?



Thank You!

