

**SENATE APPROPRIATIONS COMMITTEE
FISCAL NOTE**

BILL NO. House Bill 1071

PRINTER NO. 1270

AMOUNT

No Fiscal Impact

FUND

General Fund

DATE INTRODUCED

April 7, 2017

PRIME SPONSOR

Representative Farry

DESCRIPTION AND PURPOSE OF BILL

House Bill 1071 amends Title 53 (Municipalities Generally) by establishing new Subchapter D in Chapter 87, which would prohibit a political subdivision from imposing a ban, fee, surcharge, or tax on a recyclable plastic bag supplied by a retail establishment to a purchaser of consumer goods at the point of sale in this Commonwealth.

The legislation defines “recyclable plastic bag” as a bag or pouch of flexible packaging made of thin, flexible, plastic film that:

1. Can be marketed as “recyclable” pursuant to 16 CFR 260.12 (relating to recyclable claims);
2. Is designed and intended to be used for the carrying of goods purchased at a retail establishment; and
3. Is provided to the purchaser by the retail establishment at the point of sale.

The term does not include a reusable bag or pouch specifically designed for multiple uses and that is made of cloth, fabric or durable plastic.

The Department of Revenue shall promulgate rules and regulations necessary to administer and enforce Subchapter D.

The act shall take effect in 60 days.

FISCAL IMPACT:

Enactment of House Bill 1071 will have no fiscal impact on Commonwealth or local funds. Costs associated with the promulgation of regulations are capable of being absorbed within the department’s available fiscal resources.

Presently, it is believed there are no such bans, fees, surcharges, or taxes imposed on recyclable plastic bags in the Commonwealth. Therefore, the prohibition will not affect any currently existing revenue sources.