



WYOMING LEGISLATIVE SERVICE OFFICE

Research Memo

11 RM 033

Date: September 23, 2011

Author: Kelley Shepp

Re: Recycling Plastic Bags and Bottles

QUESTION

1. What, if any, incentives do states have for recycling or reusing plastic bags and bottles?

ANSWER

1. According to information from the National Conference of State Legislatures (NCSL), there are currently 54 proposed bills in 9 different states that would either tax, reduce or eliminate the use of plastic bags. Generally speaking, most of those bills contain language that would tax or charge a fee for the use of plastic bags; however, there are a few states that have incentives for consumers to either bring in their own bags or to not use plastic bags. New York and Rhode Island have both introduced legislation that would require store operators to pay customers between \$.02 and \$.05 for each carryout bag brought in to carry out purchased goods. Hawaii introduced legislation that would give a credit to consumers that choose not to use plastic bags. North Carolina is currently the only state to have a ban on plastic bags by prohibiting their use in the Outer Banks region. It should be noted that many of the plastic bag bills also aim to reduce the usage of paper bags due to the release of methane during decomposition. Table 1, on the next page, depicts proposed legislation specifically dealing with plastic and paper bags from 2009-present.

According to information from the Container Recycling Institute, there are currently 10 states that have enacted container deposit laws, also known as "bottle bills". These bills generally require retailers and consumers to pay a refundable deposit, usually between \$.05 and \$.10 per container. The retailers and consumers receive their refund when the container is recycled. Table 2, below, depicts the states with bottle bills, when the bill was implemented, containers covered, amount of deposit and the reclamation system.

Table 1. Proposed Plastic and Paper Bag Legislation from 2009 to Present.

State	Bans	Fees	Taxes
Alaska		√	
Arkansas	√		
California	√	√	
Connecticut	√*	√	√
Hawaii	√	√	
Indiana		√	
Maryland		√	
Massachusetts	√		√
Minnesota			√
New Jersey	√	√	
New York	√	√	√
North Carolina	√		
Oregon	√		
Pennsylvania	√ (paper & plastic)		√
Rhode Island	√	√	
Vermont		√	√
Virginia	√*	√ (paper & plastic)	
West Virginia			√ (excise tax)

Source: LSO Research staff summary of information provided by NCSL.

*Note: Bags of a certain thickness that are reusable will be permitted.

Table 2. Bottle Bills by State.

State	Implemented	Containers Covered	Deposit Amount	Reclamation System
California	9/1/1987	Aluminum, glass, plastic and bi-metals.	10¢ for 24oz and greater, 5¢ under 24oz.	State certified redemption centers, registered curbside operations, and drop-offs.
Connecticut	1/1/1980	Any individual, separate, sealed glass, metal or plastic bottle, can, jar or carton containing a beverage. Excludes containers over 3 liters containing noncarbonated beverages, and HDPE containers.	5¢	Retail stores and redemption centers.
Hawaii	1/1/2005	Aluminum, bi-metal, glass, plastic (PET and HDPE only) up to 66oz.	5¢	Certified redemption centers operated by privately owned by State permitted Solid Waste Facilities.

Source: LSO Research staff summary of information provided by the Container Recycling Institute.

Table 2. Bottle Bills by State, Cont'd.

State	Implemented	Containers Covered	Deposit Amount	Reclamation System
Iowa	6/2/1979	Any sealed glass, plastic, or metal bottle, can, jar or carton containing a beverage.	5¢	Retail stores and redemption centers.
Massachusetts	1/1/1983	Any sealable bottle, can, jar, or carton of glass, metal, plastic, or combination. Excludes biodegradables.	5¢	Retail stores and redemption centers.
Maine	6/1/1978	All sealed containers made of glass, metal or plastic containing 4 liters or less, excluding aseptics.	Wine/liquor: 15¢, all others: 5¢	Retail stores and redemption centers; dealers may refuse containers if they have an agreement with a nearby redemption center.
Michigan	12/3/1978	Any airtight metal, glass, paper, or plastic container, or a combination under 1 gallon.	10¢	Retail stores.
New York	7/1/1983	Airtight metal, glass, paper, plastic, or combination of the above under 1 gallon.	5¢	Retail stores and redemption centers.
Oregon	1/1/1972	Any individual, separate, sealed glass, metal or plastic bottle, can, or jar containing a beverage	Standard refillable container: 2¢, All others 5¢	Retail stores or approved redemption centers.
Vermont	7/1/1973	Any bottle, can, jar or carton composed of glass, metal, paper, plastic or any combination excluding biodegradables.	Liquor: 15¢, All others: 5¢	Retail stores and redemption centers. If retailer is located near a licensed center and gains approval, they may refuse containers.

Source: LSO Research staff summary of information provided by the Container Recycling Institute.

If you need anything further, please contact LSO Research at 777-7881.