

Department of Planning and Budget

2023 Fiscal Impact Statement

1. Bill Number: SB1012

House of Origin ☒ Introduced ☐ Substitute ☐ Engrossed

Second House ☐ In Committee ☐ Substitute ☐ Enrolled

2. Patron: Edwards

3. Committee: Agriculture, Conservation and Natural Resources

4. Title: State and local prohibition on single-use plastic and expanded polystyrene products.

5. Summary: Prohibits state agencies beginning July 1, 2024, from contracting for the purchase, sale, and distribution of (i) single-use plastic bags, cutlery, straws, or water bottles and (ii) single-use plastic food service containers and expanded polystyrene food service containers, except during a declared state of emergency. The bill directs the Department of General Services to post public notice of all prohibited goods on its public procurement website. The bill also authorizes any locality to prohibit by ordinance the purchase, sale, or provision, whether free or for a cost, of(a) single-use plastic bags, cutlery, straws, or water bottles and(b) single-use plastic food service containers and expanded polystyrene food service containers, with certain exceptions enumerated in the bill.

6. Budget Amendment Necessary: No

7. Fiscal Impact Estimates: Preliminary – indeterminate, see item 8

8. Fiscal Implications: The Department of General Services indicates that the fiscal implications of this bill are indeterminate. Identifying suitable single-use plastic alternatives that are approved by agencies with high-security requirements will lead to a fiscal impact, but that fiscal impact is indeterminate.

9. Specific Agency or Political Subdivisions Affected: This bill as written applies to all public bodies subject to the Virginia Public Procurement Act (VPPA). This bill does not apply to higher education institutions operating under Management Agreements and Memoranda of Understanding in the operational area of procurement (currently fourteen Level III and Level II institutions). This bill does not apply to local governments that have exempted themselves from the VPPA as authorized by Va. Code 2.2-4343. The bill amends Title 15.2 of the Code allowing localities to adopt by ordinance the prohibition on single use plastics and expanded polystyrene food service containers.

10. Technical Amendment Necessary: No

11. Other Comments: None