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HOUSE BILL NO. 2010

Offered January 14, 2009

Prefiled January 13, 2009

A *BILL to amend the Code of Virginia by adding in Chapter 17 of Title 58.1 an article numbered 8, consisting of sections numbered 58.1-1731 through 58.1-1733, relating to the plastic bag fee.*

Patron—Ebbin

Referred to Committee on Finance

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Chapter 17 of Title 58.1 an article numbered 8, consisting of sections numbered 58.1-1731 through 58.1-1733 as follows:

*Article 8.**Paper and Plastic Bag Fee.*

§ 58.1-1731. *Paper and plastic bag fee.*

There is hereby levied, upon every consumer of tangible personal property, a fee in the amount of \$0.05 for each disposable paper bag and each disposable plastic bag provided to the consumer in grocery stores, convenience stores, and drugstores. The fee shall be collected, along with the purchase price and any other fees and taxes, at the time the consumer pays for such personal property.

§ 58.1-1732. *Exemptions.*

The fee imposed by this article shall not apply to the following:

1. Durable plastic bags, with handles, that are at least 2.25 mils thick and are specifically designed and manufactured for multiple reuse.

2. Plastic bags used to carry ice cream, meat, fish, or poultry.

§ 58.1-1733. *Remittance of fees to the Department; Water Quality Improvement Fund.*

A. The fees collected shall be remitted to the Department of Taxation at the same time and in the same manner as the sales and use tax revenues are remitted in accordance with the provisions of § 58.1-615.

B. The revenue resulting from the remittance of the fee authorized herein shall be deposited into the Water Quality Improvement Fund as established by Article 4 (§ 10.1-2128 et seq.) of Chapter 21.1 of Title 10.1 .

INTRODUCED

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