

AN ACT concerning finance.

**Be it enacted by the People of the State of Illinois,
represented in the General Assembly:**

Section 5. The Illinois Procurement Code is amended by adding Section 45-23 as follows:

(30 ILCS 500/45-23 new)

Sec. 45-23. Single-use plastics prohibition; preference.

(a) For the purposes of this Section:

"Compostable" means that the item meets the ASTM D6400 standard of compostability and has been certified by the Biodegradable Products Institute as compostable.

"Compostable foodware" means containers, bowls, straws, plates, trays, cartons, cups, lids, forks, spoons, knives, and other items that are designed for one-time use for beverages, prepared food, or leftovers from meals that are compostable.

"Plastic" means a synthetic material made from linking monomers through a chemical reaction to create an organic polymer chain that can be molded or extruded at high heat into various solid forms retaining their defined shapes during their life cycle and after disposal.

"Recyclable foodware" means items that are designed for one-time use for beverages, prepared food, or leftovers from meals and that are commonly accepted in local curbside

residential recycling pick up.

"Single-use plastic disposable foodware" means containers, bowls, straws, plates, trays, cartons, cups, lids, forks, spoons, knives, and other items that are designed for one-time use for beverages, prepared food, or leftovers from meals and that are made of plastic, are not compostable, and are not accepted in residential curbside recycling pick up.

(b) When a State agency or institution of higher education is to award a contract to the lowest responsible bidder, an otherwise qualified bidder who will fulfill the contract through the use of compostable foodware or recyclable foodware may be given preference over other bidders unable to do so; provided that the bid is not more than 5% greater than the cost of products that are single-use plastic disposable foodware.

The contract awarded the cost preference in this subsection (b) shall also include the option of providing the State agency or institution of higher education with single-use plastic straws.

(c) After January 1, 2023, State agencies and departments may not procure single-use plastic disposable foodware for use at any State parks or natural areas, and instead shall offer only compostable foodware or recyclable foodware for use at State parks or natural areas.

(d) After January 1, 2024, or at the renewal of its next contract, whichever occurs later, no vendor contracted through a State agency or department may provide customers with

single-use plastic disposable foodware at any site located at a State park or a natural area, and instead shall offer only compostable foodware or recyclable foodware for use at State parks or natural areas.

(e) This Section does not apply to the procurement of supplies for the Illinois State Fair.