



Required updates to Denver's Fee on Disposable Bags

BR 22-1545

Presentation to the BIZ Committee

November 30, 2022

Agenda

- Review current ordinance and compliance to date
- Summary of state bag fee/ban law
- Summary of proposed changes to Denver's ordinance
- Request approval
- Discussion

Current Bag Fee Requirements

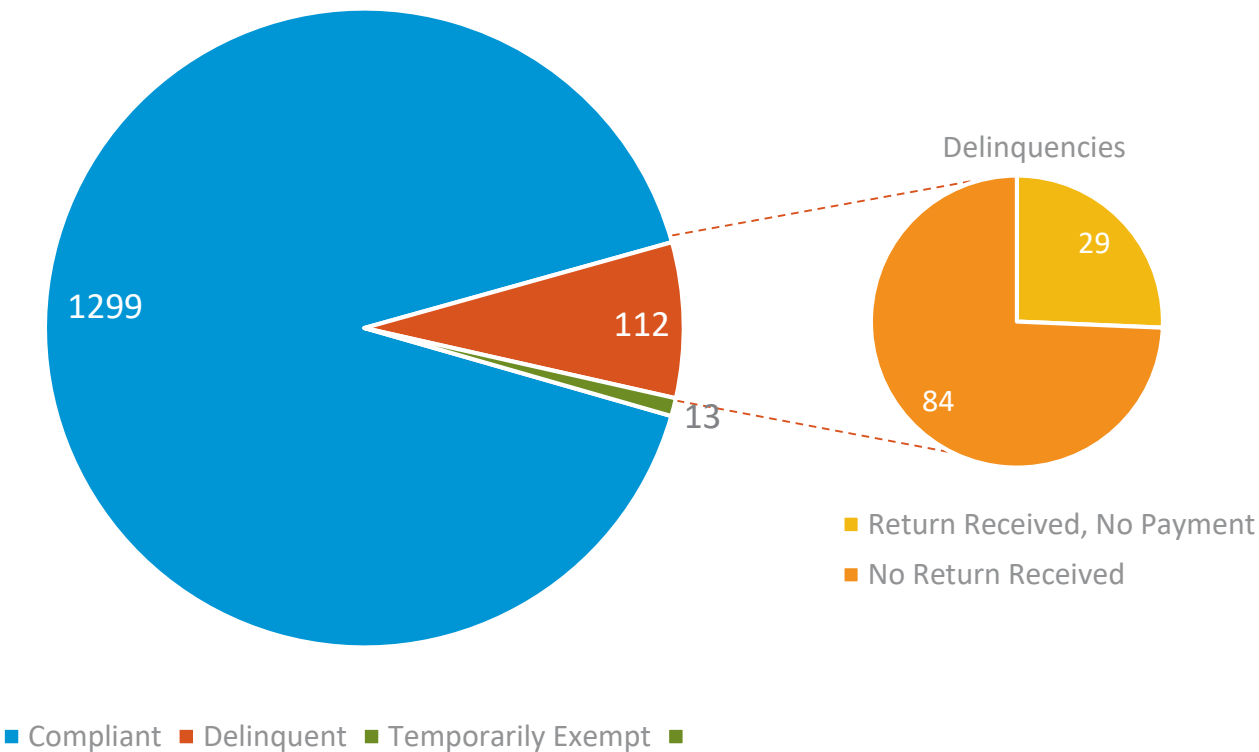
Retailers must charge \$0.10 for every disposable paper or plastic bag provided to customer at check out. Exceptions:

- Shoppers using food assistance cards are not charged the fee
- No fee charged on bags of any type brought to the store by the customer
- Does not apply to certain types of bags: small bags, dry cleaning bags, Rx bags, boxes of bags.
- Temporary vendors and farmers markets are exempt

Retailers retain \$0.04 per bag and remit \$0.06 to CCD

- Remittance is due quarterly, paid through GenTax

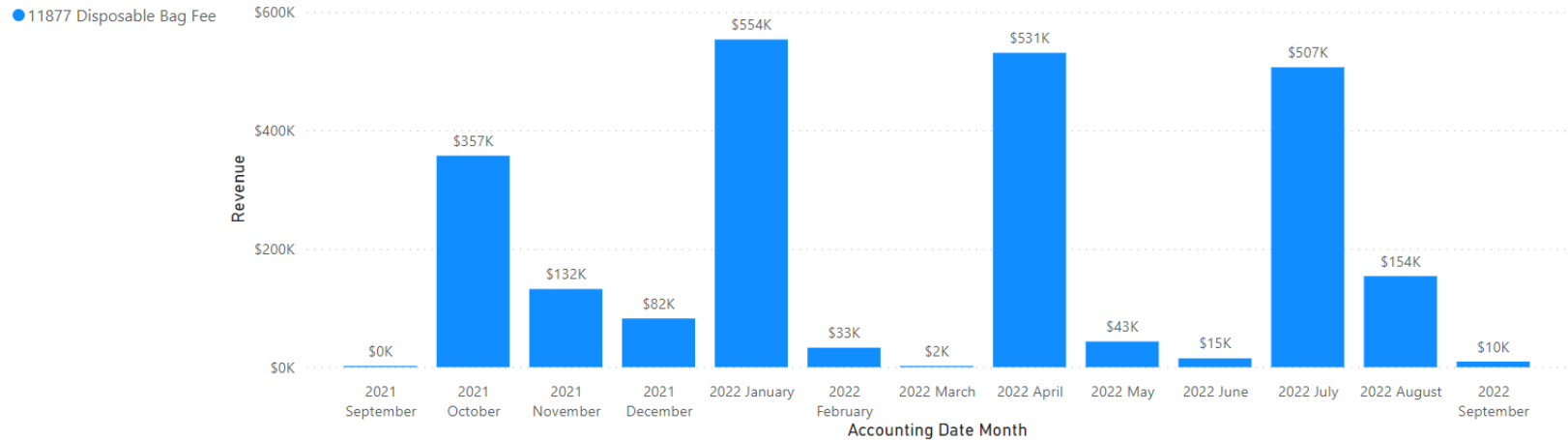
Bag Fee Compliance Q3 2022



Year 1 Revenue (Q3 2021-Q3 2022)

Ledger Category Name	11877 Disposable Bag Fee	Total
Revenue	\$2,418,890	\$2,418,890
Total	\$2,418,890	\$2,418,890

Historic Revenue by Fund



HB 21-1162: Management of Plastic Products

- Requires municipalities to charge a fee of \$0.10 per paper or plastic bag starting 1/1/2023
- Exempts restaurants but applies to farmers markets
- Small bags are not exempt
- Bans plastic bags as of 1/1/2024, but allows use of remaining inventory through 6/1/2024.
- Bans food service providers, including restaurants, from using polystyrene (Styrofoam) for take out containers as of 1/1/2024.
- Assigns enforcement to local government

Proposed changes to Denver's law

- Clarifies definitions of stores and materials
- Exempts restaurants from bag fee/ban, includes farmers markets
- Allows CCD to require periodic reporting on retailer's use of their share of the fee revenue through rules & regs
- Adopts the state's ban timeline: bags and polystyrene
- Articulates the enforcement process, penalties, and appeals

Request of BIZ

CASR requests approval to proceed with the recommended changes to Denver's Fee on Disposable Bags ordinance to align with the state's law, the Plastic Pollution Reduction Act.

Discussion