

House File 2207 - Introduced

HOUSE FILE 2207

BY SHIPLEY

A BILL FOR

1 An Act relating to county and city standards and requirements
2 for the sale or marketing of bags.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 331.301, subsection 6, paragraph
2 c, subparagraph (1), subparagraph division (b), unnumbered
3 paragraph 1, Code 2020, is amended to read as follows:

4 "Container" means a ~~bag~~, cup, package, container, bottle,
5 or other packaging, other than a bag, that is all of the
6 following:

7 Sec. 2. Section 331.301, subsection 6, paragraph c, Code
8 2020, is amended by adding the following new subparagraph:

9 NEW SUBPARAGRAPH. (4) This paragraph "c" does not prohibit
10 a county from adopting or enforcing an ordinance, motion,
11 resolution, or amendment that sets standards or requirements
12 regarding the sale or marketing of bags of any kind offered for
13 sale or lease, or provided with a sale or lease of consumer
14 merchandise.

15 Sec. 3. Section 364.3, subsection 3, paragraph c,
16 subparagraph (1), subparagraph division (b), unnumbered
17 paragraph 1, Code 2020, is amended to read as follows:

18 "Container" means a ~~bag~~, cup, package, container, bottle,
19 or other packaging, other than a bag, that is all of the
20 following:

21 Sec. 4. Section 364.3, subsection 3, paragraph c, Code 2020,
22 is amended by adding the following new subparagraph:

23 NEW SUBPARAGRAPH. (4) This paragraph "c" does not prohibit
24 a city from adopting or enforcing an ordinance, motion,
25 resolution, or amendment that sets standards or requirements
26 regarding the sale or marketing of bags of any kind offered for
27 sale or lease, or provided with a sale or lease of consumer
28 merchandise.

29

EXPLANATION

30 The inclusion of this explanation does not constitute agreement with
31 the explanation's substance by the members of the general assembly.

32 This bill relates to the regulation of bags by counties and
33 cities.

34 Current law prohibits a county or city from adopting or
35 enforcing an ordinance, motion, resolution, or amendment that

1 sets standards or requirements regarding the sale or marketing
2 of consumer merchandise that are different from, or in addition
3 to, any state law. The definition of "consumer merchandise"
4 includes any container used for consuming, carrying, or
5 transporting such merchandise. The definition of "container"
6 includes a bag, cup, package, container, bottle, or other
7 package, all of which are subject to specified conditions.

8 The bill excludes the word "bag" from the definition of
9 "container", and therefore bags are not considered consumer
10 merchandise. The bill provides that the prohibition preventing
11 counties and cities from adopting or enforcing an ordinance,
12 motion, resolution, or amendment that sets standards or
13 requirements regarding the sale or marketing of consumer
14 merchandise that are different from, or in addition to, any
15 state law does not prevent a county or city from adopting or
16 enforcing an ordinance, motion, resolution, or amendment that
17 sets standards or requirements regarding the sale or marketing
18 of bags of any kind offered for sale or lease, or provided with
19 a sale or lease of consumer merchandise.