

## **BILL ANALYSIS**

H.B. 2416  
By: Springer  
Urban Affairs  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Recent reports indicate that, across the nation, ordinances and laws to ban the distribution of single-use bags are coming between businesses and consumers. Interested parties contend that many possible consequences are not taken into consideration upon enactment of these bans, such as health risks, hidden taxes, economic impacts, the loss of manufacturing jobs, and many unintended environmental impacts. H.B. 2416 seeks to prohibit these bans by establishing the Shopping Bag Freedom Act, which gives retailers and consumers the freedom to provide and accept bags of their preference.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

H.B. 2416 amends the Business & Commerce Code to authorize a business that sells an item to a customer to provide to the customer at the point of sale a bag, package, or other container made from any material. The bill invalidates an ordinance or regulation adopted by a local government purporting to prohibit or restrict a business from providing to a customer at the point of sale a bag, package, or other container made from any material and provides that such an ordinance or regulation has no effect.

H.B. 2416 prohibits a local government, beginning September 1, 2013, from enforcing any ordinance or regulation adopted before that date that prohibits or restricts a business, other than a business serving only residents of that local government's territory, from providing to a customer at the point of sale a bag, package, or other container made from any material.

### **EFFECTIVE DATE**

September 1, 2013.