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H.B. No. 2416

A BILL TO BE ENTITLED

AN ACT

relating to the provision of bags to customers of a business at the
point of sale.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. (a) This Act shall be known and may be cited as
the "Shopping Bag Freedom Act."

SECTION 2. Title 6, Business & Commerce Code, is amended by
adding Chapter 205 to read as follows:

CHAPTER 205. RIGHT OF BUSINESSES TO PROVIDE BAG TO CUSTOMER

Sec. 205.001. PROVISION OF BAG AUTHORIZED. A business that
sells an item to a customer may provide to the customer at the point
of sale a bag, package or other container made from any material.

Sec. 205.002. GENERAL PROHIBITIONS INVALID. (a) 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 is invalid and has no effect.

SECTION 3. Beginning September 1, 2013, a local government
may not enforce any ordinance or regulation adopted by the local
government 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.

SECTION 5. This Act takes effect September 1, 2013.