This session is available in both English and Spanish audio. Click on the “Interpretation” icon at the bottom of the Zoom window and choose either "English" or “Spanish”.

Esta sesión está disponible en inglés y español audio. Escoja el icono "Interpretación" en la parte inferior de la ventana de Zoom y elija "Inglés" o "Español".
How to toggle presentations

This session has presentations available in both English & Spanish. On the top of your screen, you’ll see a drop down that says, “View Options”. Click which screen you would like to view.

Esta sesión tendrá presentaciones disponibles en inglés y español. En la parte superior de la pantalla, verá un menú desplegable que dice “View Options”. Haga clic en la pantalla que desea ver.
New State Law: Ban on Plastic Bags and Foam

Disposable Bag Fee Educational Webinar #2
January 22nd, 2024
Office of Climate Action, Sustainability and Resiliency

- High Performance Buildings & Homes
- Zero Waste & Circular Economy
- Renewable Energy
- Sustainable Transportation
- Green Workforce
- Adaptation and Resiliency
Zero Waste & Circular Economy

- Disposable Bag Fee
- Reuse Denver
- Skip the Stuff, Say No to Single-Use Condiments & Service Ware
- Sustainable Resource Management Plan
- Waste No More
Zero Waste & Circular Economy

Our role: support retailers with implementation & compliance with Disposable Bag Fee
• Resources & Education
• Customer Service
• Compliance Support
• In-Person Visits

Natalie Lana
Program Administrator

Anna Erickson
Program Coordinator

Phone: (720) 913-8510
Email: bringyourownbag.finance@denvergov.org
Disposable Bag Fee Webinar Series

- **Disposable Bag Fee Requirements**
  October 23, 2023, 2-3 PM

- **New State Law: Ban on Plastic Bags & Foam**
  January 22, 2024, 4-5PM

- **How to Reduce Waste at Your Business**
  April 23, 2024, 3-4PM
New State Law: Ban on Plastic Bags and Foam

Agenda

• Review: Disposable Bag Fee Requirements
• Colorado Plastic Pollution Reduction Act (PPRA)
• Ban on Plastic Disposable Bags
• Ban on Expanded Polystyrene (foam) Containers
• Compliance Requirements & Timelines
• Retailer Resources
Review: What is the Disposable Bag Fee Ordinance?

• As of July 1, 2021, retail stores within the City and County of Denver are required to charge a ten cents ($0.10) fee on all disposable bags provided to customers.

• Stores must remit 60% of fees collected to the City & County of Denver on a quarterly basis.

• Since July 2021, the Disposable Bag Fee has generated $5 Million in a Special Purpose Revenue Fund.
Review: Disposable Bag Fee Requirements

**Goal:** Encourage customers to bring their own bags when shopping

- Stores must charge $0.10 for disposable bags provided to customers
- Stores must submit Quarterly Filing Forms including # of bags and 60% of total bag fees collected to the City & County of Denver
- Quarterly Filing Forms are due 20 days after the end of each quarter
- Stores may submit Quarterly Filing Forms online or through paper forms

**Quarterly Due Dates**

- Quarter 1: January-March
  - April 20
- Quarter 2: April-June
  - July 20
- Quarter 3: July-September
  - October 20
- Quarter 4: October-Dec.
  - January 20

Www.DenverGov.Org/eBizTax
Review: Disposable Bag Fee Exemptions

- A bag provided to a customer participating in a State or Federal Food Assistance Program
- A bag used to package bulk items such as fruit or nuts
- A bag used to protect purchased items from damaging or contaminating other purchased items when placed in a disposable or reusable carryout bag.
- Newspaper bags, door-hanger bags, laundry-dry cleaning and garment bags, bags used to contain prescription drugs, and bags sold in packages containing multiple bags for uses such as food storage, garbage, pet waste, or yard waste.
Colorado’s Plastic Pollution Reduction Act

Goal: Reduce pollution of long-lasting plastic products

Effective January 1, 2023
1. $0.10 Disposable Bag Fee in all stores in Colorado

Effective January 1, 2024
1. State-Wide Ban on Plastic Disposable Bags
2. State-Wide Ban on Expanded Polystyrene Containers
Denver’s Implementation of PPRA

- State Law requires all municipalities to implement the Plastic Pollution Reduction Act
- Example: Exemptions for “small stores” does not apply for stores in City & County of Denver
- All stores in Denver must comply with Denver’s Disposable Bag Fee Ordinance, including the Ban on Plastic Bags.
**Definition: Plastic Disposable Bag**

*Disposable Bag* (except as provided in section 2-414.5, D.R.M.C.) means any bag, other than a reusable carryout bag, that is provided to a customer by a store or retail food establishment at the point of sale for the purpose of transporting goods.

*Plastic* means a synthetic material made from linking monomers through a chemical reaction to create a polymer chain that can be molded or extruded at high heat into various solid forms that retain their defined shapes during their life cycle and after disposal.
Definition: Expanded Polystyrene Container

- *Expanded polystyrene* means blown polystyrene, commonly known as “Styrofoam”, and any other expanded or extruded foam
- Commonly used for take-out food and drinks
Why Ban Plastic Disposable Bags and Expanded Polystyrene Containers?

- Intended for single-use and immediate disposal
- Made from oil and gas, are not readily recyclable or biodegradable
- Break into tiny particles called microplastics, pollute land & water for 1000s of years, harmful to wildlife & ecosystems
Ban on Plastic Disposable Bags

Effective January 1, 2024:

• Stores may no longer build inventory of plastic disposable bags

• Stores may continue to use existing inventory of plastic disposable bags purchased before January 1, 2024, until June 1, 2024

• Stores must still charge $0.10 for all disposable bags; plastic, paper, or other, and remit 60% to the City and County of Denver quarterly
Ban on Plastic Disposable Bags (Contin.)

Effective June 1, 2024:

• Stores may no longer provide plastic disposable bags to customers at checkout

• Stores may still provide paper disposable bags made from 100% recycled or post-consumer material

• Stores must still charge $0.10 for paper bags and remit 60% to the City and County of Denver quarterly
Ban on Expanded Polystyrene (Foam) Containers

Effective January 1, 2024:

• Stores may no longer build inventory of expanded polystyrene containers

• Existing inventory purchased before January 1, 2024, may be used until depleted
Summary: Compliance Dates

**January 1, 2024:** State law takes effect. Ban on plastic disposable bags and expanded polystyrene containers begins. Stores may no longer build inventory of plastic disposable bags or expanded polystyrene containers.

**June 1, 2024:** Stores may no longer issue plastic disposable bags to customers at checkout. Continued distribution of plastic disposable bags will be a violation of the ordinance and may receive citations up to $999.
Resources for Retailers

www.denvergov.org/bringyourownbag
Disposable Bag Fee for Businesses

Bring Your Own Bag Program

- Overview
- Frequently Asked Questions

- Colorado's Plastic Pollution
- Report a Store not Comply Program

Are you a Denver business? Learn how to comply, get printable signs and pay fees associated with this program.

Disposable Bag Fee for Businesses

Colorado law will soon prohibit stores and retail food establishments from providing single-use plastic bags.
Disposable Bag Fee for Businesses

- **Overview**
- **Exemption Request Form**
- **Bag Fee Citation Appeal Form**

- **Retailer Guide**
- **Pay Bag Fee Citation**
- **Bag Fee Refund Request**
- **Frequently Asked Questions**
- **Colorado Plastic Pollution Reduction Act**

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**Contact Us**

Have questions or want to learn more? We're here to help.

**Email Us**
(720) 913-8510
Retailer Guide

- How to Remit Bag Fees
- How to Complete the Quarterly Filing Form
- Checklist for Retailers
- Cashier Sheet
- Point of Sale Placards
- Posters
Reuse Denver Program

Help your small business save money and create a better dining experience for customers!

Participants Will
• Receive support and up to $600 worth of reusable food service ware such as plates, bowls, cups, or cutlery that can be washed and reused
• Decide how reusables will be incorporated into operations

*Replacing all disposables is optional and not required for participation. Space is limited, apply today!

Prioritizing women and/or minority-owned businesses

www.DenverGov.org/ReuseDenver
Q&A
Upcoming Webinar
How to Reduce Waste at Your Businesses

Tuesday, April 23, 2024, 3-4 PM

This webinar will provide more information about how businesses can comply with zero waste policies, reduce single-use waste, and save money. There will be an opportunity for Q&A.
Thank you!

Zero Waste & Circular Economy Team
Email: bringyourownbag.finance@denvergov.org
Phone: (720) 913-8510
Appendix

Disposable Bag Fee Requirements
Where does the money from Disposable Bag Fees go?

60% is Remitted to the City & County of Denver. Allowable Uses Include:
• Administrative costs, educational campaigns, waste reduction programs, free reusable bags for residents

40% is Retained by the Store. Allowable Uses Include:
• Cost of implementation & employee training, educational signage, free reusable bags to customers, improve infrastructure to increase plastic bag recycling
Ordinance Definitions

**Store** means a grocery store, supermarket, convenience store, liquor store, dry cleaner, pharmacy, drug store, clothing store, or other type of retail establishment at which carryout bags are traditionally provided to customers. Store includes a farmers market, roadside market or stand, festival, or other temporary vendor or event that includes temporary vendors.
What is a “Reusable” Bag?

- Specifically made to be reused
- Durable, washable
- Made of cloth or fiber
- Handles
What is required for Disposable Bag Fee Compliance?

- Charge of $0.10 for each disposable bag
- In-Store Signage
- Fee never paid on behalf of customer
- Customers on EBT, SNAP or TANF do not get charged $0.10
- Customer receipts need to show the bag fee
- Stores remit 60% of fees collected
How to Implement the Disposable Bag Fee

1. Adjust your registers
2. Know which bags are exempt
3. Alert your customers
4. Educate your employees
5. Encourage customers to bring their own bags
6. Keep record of disposable bags provided to customers for reporting purposes
How Should Stores Remit Disposable Bag Fees?

**Quarterly Deadlines**

- **April 20**
  Quarter 1: January-March

- **July 20**
  Quarter 2: April-June

- **October 20**
  Quarter 3: July-September

- **January 20**
  Quarter 4: October-December

**Disposable Bag Fee Remittance:** Stores remit 60% of Disposable Bag Fees collected to the City and County of Denver.

**Disposable Bag Fee Quarterly Filing Form:** Stores submit this form including data on disposable bags provided to customers & fees remitted to the city on a quarterly basis.

**Late Penalty:** If remittance is late, a penalty of 10% of total remittance is added to the total amount owed.

**Late Interest:** If remittance is late, an interest rate of 1% of total remittance is added to the total amount owed for each month the filing is late.
How Should Stores Remit Disposable Bag Fees?

Denver Disposable Bag Fee Filing Form Quarterly

<table>
<thead>
<tr>
<th>Business Name</th>
<th>Account Number</th>
<th>Phone Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>DisposBag Fee Team</td>
<td>123456</td>
<td>720-915-5510</td>
</tr>
</tbody>
</table>

Primary Business Location: 2145 E Colfax Ave Denver CO

Period End Date: 30 Sept 2023

Instructions:

1. Enter the total number of plastic, paper, and other types of disposable bags that were provided at checkout during the quarter.
2. Multiply Line 1 by $0.06. If payment is made after the twentieth day of the month following the end of the quarter, skip to Line 4. If payment is made after the twelfth day of the month, please fill out Lines 3a and 3b. If the form is filled or paid after the due date, multiply Line 2 by 0.10 and enter that amount here.
3. If the form is filed or paid after the due date, multiply Line 2 by 0.01 and enter that amount here.
4. If the form is filed or paid after the due date, enter amount from Line 2, Line 3a, and Line 3b. Enter total amount here.

Important Information: The City and County of Denver is now offering online filing for Sales, Use, Lodger’s, Occupational Privilege, Facilities Development Amendments, Telecommunications Business Tax, Emergency Telephone Charges (ES911), and Disposable Bag Fee. For more information or to register online, visit www.DenverGov.org/sBizTax.

RETURN LOWER PORTION - DETACH HERE

ACCOUNT NUMBER: 123456
PERIOD END: 30-SEPT-2023
DUE DATE: 20-OCT-2023
 MEDIA #:

<table>
<thead>
<tr>
<th>BOX A: ENTER TOTAL BAGS BY TYPE</th>
</tr>
</thead>
<tbody>
<tr>
<td>PLASTIC</td>
</tr>
<tr>
<td>400</td>
</tr>
</tbody>
</table>

Thereby certify, under penalty of perjury, that the statements made herein are to the best of my knowledge true and complete.

Title: Manager of Finance

Dated: 30 Oct 2023

Include a check or money order made payable to MANAGER OF FINANCE.
How Should Stores Submit their Paper Filing Form?

Mail To:  
City and County of  
Denver Office of Climate  
Action Sustainability &  
Resiliency  
P.O. Box 735216  
Dallas, TX 75373

Deliver in-person to:  
Tax Services  
Wellington E. Webb Municipal Building  
201 West Colfax Ave, 1st floor  
Denver, CO
How Should Stores Remit Disposable Bag Fees Online?

www.denvergov.org/ebiztax
What happens if a store does not submit their Disposable Bag Fees on-time or correctly?

Stores are considered delinquent when:

• Quarterly Filing Form is not received
• Quarterly Filing Form does not include bag counts
• Quarterly Filing Form does not include payment
• Payment submitted through Quarterly Filing Form is less than payment owed

Stores that remain delinquent may receive citations up to $999 & possible freeze on business license renewals

Please reach out for assistance:

• Disposable Bag Fee Team: (720) 913-8510; bringyourownbag.finance@denvergov.org
Allowable Uses of each $0.04 kept by a store (Section 2-415)

The four cents ($.04) that the store may retain may only be used to:

1. Provide educational information about the disposable bag fee to customers;
2. Develop and display informational signage to inform consumers about the fee, encourage the use of reusable carryout bags, or promote recycling of disposable bags;
3. Train staff in the implementation and administration of the fee;
4. Improve or alter infrastructure to allow for the implementation, collection, administration of the fee;
5. Provide free reusable carryout bags to customers; and
6. Improve infrastructure to increase disposable plastic bag recycling.
1. Why were Cannabis Retailers previously exempt from Disposable Bag Fee Requirements?
   • State Law update: small bag exemption removed.

2. Are Medical Cannabis Retailers required to comply with the disposable bag fee?
   • No, bags containing prescription drugs are exempt from the Disposable Bag Fee.

3. Are customers able to bring their own bags while shopping at a Cannabis store?
   • Yes! If all product containers are child-proof, customers should be able to refuse a carry-out bag or bring their own bag while shopping.

4. Are Cannabis Retailers required to provide an exit bag for marijuana products?
   • Not necessarily. According to Colo. Code Regs. § 212-3-3-1010, if a marijuana product is sold in a child-proof container, an opaque exit package is “permitted but not required”.
   • However, if a marijuana product is sold in a container that is not child-proof, an opaque exit package is required.

As of Q2 2023, Recreational Cannabis Retailers are required to comply with Disposable Bag Fee Requirements