



General Assembly

Substitute Bill No. 5524

February Session, 2026



AN ACT CONCERNING THE STATE'S MATERIALS MANAGEMENT SYSTEM.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 22a-226e of the 2026 supplement to the general
2 statutes is repealed and the following is substituted in lieu thereof
3 (*Effective October 1, 2026*):

4 (a) (1) On and after January 1, 2014, each commercial food wholesaler
5 or distributor, industrial food manufacturer or processor, supermarket,
6 resort or conference center that is located not more than twenty miles
7 from an authorized source-separated organic material composting
8 facility and that generates an average projected volume of not less than
9 one hundred four tons per year of source-separated organic materials
10 shall: (A) Separate such source-separated organic materials from other
11 solid waste; and (B) ensure that such source-separated organic materials
12 are recycled at any authorized source-separated organic material
13 composting facility that has available capacity and that will accept such
14 source-separated organic material.

15 (2) On and after January 1, 2020, each commercial food wholesaler or
16 distributor, industrial food manufacturer or processor, supermarket,
17 resort or conference center that is located not more than twenty miles
18 from an authorized source-separated organic material composting

19 facility and that generates an average projected volume of not less than
20 fifty-two tons per year of source-separated organic materials shall: (A)
21 Separate such source-separated organic materials from other solid
22 waste; and (B) ensure that such source-separated organic materials are
23 recycled at any authorized source-separated organic material
24 composting facility that has available capacity and that will accept such
25 source-separated organic material.

26 (3) On and after January 1, 2022, each commercial food wholesaler or
27 distributor, industrial food manufacturer or processor, supermarket,
28 resort or conference center that is located not more than twenty miles
29 from either an authorized source-separated organic material
30 composting facility or an authorized transfer station, or any collection
31 location authorized to receive source-separated organic materials, and
32 that generates an average projected volume of not less than twenty-six
33 tons per year of source-separated organic materials shall: (A) Separate
34 such source-separated organic materials from other solid waste; and (B)
35 ensure that such source-separated organic materials are recycled at any
36 authorized source-separated organic material composting facility that
37 has available capacity and that will accept such source-separated
38 organic material.

39 (4) On and after January 1, 2025, each commercial food wholesaler or
40 distributor, industrial food manufacturer or processor, supermarket,
41 resort, conference center or institution that generates an average
42 projected volume of not less than twenty-six tons per year of source-
43 separated organic materials shall: (A) Separate such source-separated
44 organic materials from other solid waste; and (B) ensure that such
45 source-separated organic materials are recycled at any authorized
46 source-separated organic material composting facility that has available
47 capacity and that will accept such source-separated organic material.
48 For the purposes of this section "institution" means any establishment
49 engaged in providing hospitality, entertainment or rehabilitation and
50 health care services, and any hospital, public or independent institution
51 of higher education building or facility or correctional facility.

52 (5) On and after July 1, 2027, any entity that generates an average
53 projected volume of not less than twenty-six tons per year of source-
54 separated organic materials shall: (A) Separate such source-separated
55 organic materials from other solid waste; and (B) ensure that such
56 source-separated organic materials are recycled at any authorized
57 source-separated organic material composting facility that has available
58 capacity and that will accept such source-separated organic material.

59 ~~[(5)]~~ (6) On and after July 1, 2026, each public or nonpublic school
60 building or educational facility in which students in grades
61 kindergarten to twelve, inclusive, or any combination thereof, are
62 enrolled, that is located not more than twenty miles from either an
63 authorized source-separated organic material composting facility and
64 that generates an average projected volume of not less than twenty-six
65 tons per year of source-separated organic materials shall: (A) Separate
66 such source-separated organic materials from other solid waste; and (B)
67 ensure that such source-separated organic materials are recycled at any
68 authorized source-separated organic material composting facility that
69 has available capacity and that will accept such source-separated
70 organic material.

71 (b) Any such wholesaler, distributor, manufacturer, processor,
72 supermarket, institution, resort or conference center that performs
73 composting of source-separated organic materials on site or treats
74 source-separated organic materials via on-site organic treatment
75 equipment permitted pursuant to the general statutes or federal law
76 shall be deemed in compliance with the provisions of this section.

77 (c) Any permitted source-separated organic material composting
78 facility that receives such source-separated organic materials shall
79 report to the Commissioner of Energy and Environmental Protection, as
80 part of such facility's reporting obligations, a summary of fees charged
81 for receipt of such source-separated organic materials.

82 (d) Not later than January 1, 2022, the Commissioner of Energy and
83 Environmental Protection shall establish a voluntary pilot program for

84 any municipality that seeks to separate source-separated organic
85 materials and ensure that such source-separated organic materials are
86 recycled at authorized source-separated organic material composting
87 facilities that have available capacity and that will accept such source-
88 separated organic material.

89 (e) On or before March 1, 2025, and annually thereafter, each
90 wholesaler, distributor, manufacturer, processor, supermarket, resort,
91 conference center or institution that is subject to the provisions of this
92 section shall submit a report to the Department of Energy and
93 Environmental Protection in electronic format. Such report shall
94 summarize such entity's amount of edible food donated, the amount of
95 food scraps recycled and the organics recycler or recyclers and
96 associated collectors used. On and after March 1, 2027, and annually
97 thereafter, such reporting requirement shall apply to any entity that is
98 subject to the provisions of this section.

99 Sec. 2. (NEW) (*Effective July 1, 2028*) (a) No food service establishment,
100 restaurant, dining facility, caterer or other entity engaged in the sale or
101 service of prepared food shall sell, use or provide food service ware
102 composed, in whole or in part, of expanded polystyrene.

103 (b) Notwithstanding subsection (a) of this section, a local or regional
104 board of education shall be deemed in compliance with this section if
105 such board participates in a program for the collection and recycling of
106 expanded polystyrene food service ware and ensures that such
107 materials are separated, collected and delivered to a facility authorized
108 to accept and recycle such material.

109 (c) For purposes of this section, "expanded polystyrene" means blown
110 polystyrene or expanded or extruded foam polystyrene.

111 (d) Nothing in this section shall be construed to prohibit a
112 municipality from adopting or enforcing an ordinance that imposes
113 requirements or restrictions on expanded polystyrene that are stricter
114 than the provisions of this section.

115 (e) The provisions of this section shall not apply to any packaging
116 product composed of polystyrene or containing polystyrene loose fill
117 that:

118 (1) Is used for prepackaged food that was filled and sealed prior to
119 receipt by a retail establishment, business or food vendor;

120 (2) Is used to contain or store raw or frozen meat or seafood sold from
121 a butcher case or similar retail appliance;

122 (3) Is a cooler or ice chest, provided such polystyrene is fully encased
123 in another material; or

124 (4) Is reusable polystyrene used for agricultural purposes.

125 (f) The provisions of this section shall not be construed to apply to
126 any patient care unit in any hospital or rehabilitation facility.

127 Sec. 3. (NEW) (*Effective July 1, 2027*) (a) On and after January 1, 2028,
128 no food service establishment shall provide single-use food service
129 items, including utensils, napkins, condiment packets or drinking
130 straws, except upon request of the customer or through the use of a
131 utensil dispenser.

132 (b) Nothing in this section shall be construed to prohibit the provision
133 or use of drinking straws, provided no single-use drinking straw
134 provided by a food service establishment shall contain PFAS, as defined
135 in section 22a-255h of the general statutes, that is intentionally added.
136 For purposes of this subsection, "PFAS that is intentionally added"
137 means the addition of PFAS during the manufacturing process to
138 provide a functional or technical effect in the finished product.

139 Sec. 4. (NEW) (*Effective October 1, 2026*) On and after July 1, 2027, any
140 entity subject to the commercial organics diversion requirements of
141 section 22a-226e of the general statutes, as amended by this act, shall
142 prioritize the donation of surplus edible food for human consumption
143 prior to the use of recycling, composting, aerobic digestion, anaerobic
144 digestion or disposal and shall adopt and maintain a written policy

145 establishing procedures for the safe storage, handling and transfer of
146 such food for donation.

147 Sec. 5. (NEW) (*Effective July 1, 2026*) Notwithstanding any provision
148 of title 22a of the general statutes, for purposes of any municipal or
149 regional materials management grant program administered by the
150 Department of Energy and Environmental Protection, including, but not
151 limited to, materials management infrastructure or sustainable
152 materials management grant programs, eligible project costs may
153 include equipment, infrastructure, facility improvements,
154 implementation systems and operational components necessary to
155 support waste reduction, reuse programs, food recovery, source
156 separation, organics diversion or materials processing, including, but
157 not limited to, storage infrastructure, cold storage equipment, reusable
158 food service systems, dishwashing equipment, sanitation infrastructure,
159 sorting systems and collection systems.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2026</i>	22a-226e
Sec. 2	<i>July 1, 2028</i>	New section
Sec. 3	<i>July 1, 2027</i>	New section
Sec. 4	<i>October 1, 2026</i>	New section
Sec. 5	<i>July 1, 2026</i>	New section

ENV *Joint Favorable Subst.*

APP *Joint Favorable*