



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2 statutes is repealed and the following is substituted in lieu thereof  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.*