

ADOPTION OF PLASTIC BAG ORDINANCES IN ILLINOIS: LESSONS FOR MUNICIPALITIES CONSIDERING LEGISLATION

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Single-use plastic bags create numerous environmental and public health challenges. To date, 543 U.S. municipalities, including five in Illinois, have passed laws designed to curb their use. We analyze the plastic bag ordinances adopted in Illinois and draw on interviews with community leaders, elected officials, and municipal employees from those five communities (Chicago, Edwardsville, Evanston, Oak Park, and Woodstock) to examine factors driving the adoption of these local laws; why each municipality included specific features in their ordinances; what implementation challenges they have faced; and, their perspectives on state-level legislation. We also discuss how the proposed state bills will affect current municipal ordinances and offer recommendations for municipalities considering plastic bag legislation.

INTRODUCTION

At a global level, people are becoming more concerned about the negative effects of single-use plastics on the environment and human health (United Nations Environment Programme, 2018). Single-use plastic bags, in particular, attract criticism because they are so visible and so widely used. Plastic bags were first introduced in U.S. supermarkets in 1982 (Evans, 2019), and today, Americans use an estimated 100 billion of them per year (Wagner, 2017). In 2017, Americans recycled only 9.4% of the 4.14 million tons of plastic bags, sacks, and wraps that passed through the municipal waste stream (U.S. Environmental Protection Agency, 2019, p. 34).

Concerns about plastic bags focus on the petroleum resources needed to produce them as well as their persistence and toxicity in the environment. These bags “photodegrade” and break down into microscopic particles when exposed to sunlight; however, the tiny plastic particles never biodegrade (Lapidos, 2007). Although the potential effects of microplastics on human and environmental health are still unclear (Halden, 2010), scientists have

discovered these particles in our air, food, and drinking water (Koelmans *et al.*, 2019). Plastic bags can also clog storm drains and sewers, as well as the equipment used to sort materials at municipal recycling facilities.

In response to these concerns, many countries have adopted single-use plastic bag bans, fees, and taxes. At least 32 countries have banned plastic bags, and 18 have instituted taxes or fees to discourage the use of plastic bags, with another 17 having a partial ban or tax (ReuseThisBag.com, 2018).¹ In the United States, nine states, including California, Connecticut, Delaware, Hawaii, Maine, New York, Oregon, Vermont, and Washington have passed laws designed to ban the use of single-use plastic bags, but another 15 states have laws that restrict municipalities from enacting such laws. In 2017, there were 271 municipalities with single-use plastic bag laws in place (Wagner, 2017), and this number has grown in the last three years. According to an online database maintained by the American Recyclable Plastic Bag Alliance, by March 2020, 543 communities in the United States had enacted single-use plastic bag laws, either in the form of a ban or tax or fee.

As of June 2020, five Illinois municipalities — Chicago, Edwardsville, Evanston, Oak Park, and Woodstock — have passed laws to curb the use of single-use plastic bags. Evanston is the only Illinois community with a definitive ban on single-use plastic bags. The other four municipalities discourage people from using them through a seven- or 10-cent per bag fee or tax. Chicago initially introduced a plastic bag ban in 2014, but it was repealed and replaced with a tax in 2016. In order to enact local plastic bag laws, Illinois municipalities must have home rule status.²

As concerns about the environmental impacts of single-use plastics spread, some communities in Illinois³ are considering adopting similar laws, and Illinois legislators have proposed several bills on plastic bags and single-use plastic cutlery, straws, and Styrofoam. Research is needed to help municipal leaders make informed decisions about how to approach plastic bag legislation in their communities. Between May and July 2020, we conducted semi-structured interviews⁴ with 16 community leaders, elected officials, and municipal employees in the five Illinois communities that have passed plastic bag legislation to understand why they took action on the plastic bag issue, how they designed their local ordinances, and what challenges they have faced during implementation. In developing our approach, we drew on previous research examining the emergence and spread of an international “anti-plastic bag shopping bag norm” (Clapp and Swanston, 2009). Our study contributes

insights into how environmental norms emerge and evolve in Illinois municipalities and how they are interpreted and actualized in local and state policies.

Due to COVID-19, plastic bag ordinances in Illinois have been temporarily suspended or postponed⁵ because Governor JB Pritzker's Executive Order 2020-32 specifies that essential stores must "discontinue use of reusable bags."⁶ However, officials expect the ordinances to be reinstated after pandemic restrictions are lifted. In the sections that follow, we examine the insights shared by our study participants. Their experiences and perspectives are useful for understanding what is driving plastic bag legislation in Illinois and strategies for designing and implementing more effective plastic bag ordinances.

FORCES DRIVING ADOPTION OF PLASTIC BAG ORDINANCES

Table 1 shows the variations in demographics and government structures in the five municipalities. Geographically, Chicago, Evanston, Oak Park, and Woodstock are clustered in northern Illinois while Edwardsville is in southern Illinois.

The process leading to the adoption of a plastic bag ordinance differed in each of these communities. However, in each, there was a shared sense that something needed to be done at a local level to act on the global problem of plastic pollution. Study participants described a similar process of becoming concerned about this issue (e.g., through articles in newspapers, magazines, and documentaries on the impacts of plastic waste), conducting research about what other communities had done to address this problem, and then working to build support for a local bag law. Many began with community outreach campaigns and calls for voluntary action. Ultimately, however, they decided a mandatory bag law was required to have a significant impact.

In each community, the two primary goals were to reduce plastic pollution and change behavior by making people aware of their reliance on plastic. Revenue generation was often discussed as a benefit of a tax or fee, but all our participants asserted this was not a primary goal. Many described plastic bags as a logical starting point for addressing plastic pollution because they are so common. In the words of one study participant, "Everyone can see themselves in this, and it puts them in the driver's seat of making this decision . . . they can see themselves as part of the solution."

TABLE 1

**CHARACTERISTICS OF THE FIVE ILLINOIS MUNICIPALITIES WITH PLASTIC BAG LAWS
(AS OF JULY 2020)**

	CHICAGO	EDWARDSVILLE	EVANSTON	OAK PARK	WOODSTOCK	ILLINOIS
Estimated population in 2019	2,693,976	25,233	73,473	52,381	25,240	12,671,821
Median household income (in 2018 dollars), 2014-2018	\$55,198	\$69,213	\$77,848	\$91,945	\$60,940	\$63,575
Race/ethnicity (%) in 2019						
White	49.4	83.2	67.2	69.1	90	76.8
African American	30.1	10.8	16.6	18.3	3.7	14.6
Hispanic or Latino	29	2.5	11.8	8.8	22.9	17.5
Bachelor's degree or higher, %, 25+, 2014-2018	38.4	52.4	65.7	69.7	26.9	34.1
Form of government	Mayor-council	Mayor-council	Council-manager	Village manager-board of trustees	Council-manager	
Citizen-led environmental advisory committee or commission (yes/no)	Yes	Yes*	Yes	Yes	Yes	
City sustainability manager/officer (yes/no)	Yes	No	Yes	No	Yes	
Home rule	Yes	Yes	Yes	Yes	Yes	

**The City of Edwardsville does not have an environmental advisory committee, but it does have a Cool Cities Initiative Advisory Committee that is focused on environmental issues.*

Table sources: U.S. Census Bureau (2020); City of Chicago (2020); City of Edwardsville (2020); City of Evanston (2020); City of Woodstock (2020); Village of Oak Park (2020); Illinois Municipal League (2020); personal communication.

Building support for a bag ordinance required cooperation between active citizen groups, supportive city employees and elected officials, and local businesses that would be affected by the law. Once momentum started to build, in the words of one proponent, the “timing still had to be right.” In Illinois, several factors shaped favorable timing. Chicago first passed a ban on plastic bags in 2014, and this led to a geographic spillover effect in municipalities that bordered on Chicago. Large retailers adapted to the ban in their Chicago stores, and consumers who traveled to Chicago became accustomed to not being offered a plastic bag. People in smaller surrounding municipalities saw this as an opportunity to take similar action.

In 2015, Evanston passed a ban that was virtually identical to Chicago’s. Among the people we interviewed, there was a sense that people in Evanston are “very forward-thinking and highly educated.” Adopting the ordinance signaled a commitment to progressive environmental ideals and helped the city move toward waste reduction goals included in the city’s Climate Action and Resilience Plan. The interview participants indicated that the city’s sustainability manager, members of the city’s Environment Board (comprised of citizens nominated by the mayor and appointed by the council), and local environmental groups played key roles in building support for the ordinance.

Study participants from Oak Park, which is also immediately adjacent to Chicago, described their community as “progressive” and stressed that the village prided itself on being a leader in the environment. One participant described Oak Park’s plastic bag law, which the village council passed unanimously, as a “no brainer.” Although local organizations played a role in building support for the ordinance, at least one elected official argued that Oak Park’s initiative was “born at the board level.” Chicago’s ban got peoples’ attention, and members of the village’s Environment and Energy Commission chose to focus on the issue.

Woodstock’s plastic bag ordinance, which went into effect in January 2020, came about through the coordinated actions of a county-level environmental group and the city’s Environmental Commission. The mayor was also very supportive. Proponents initially focused on multiple cities in McHenry County. However, leaders in municipalities with shared borders were concerned consumers would shift their shopping to other communities or get confused about regulations “in place on one side of the street but not the other.” Participants explained that Woodstock was “in a nice position to be a leader in the community” because it was “more isolated” from other cities. Study participants also described Woodstock as “progressive,” especially on

environmental issues, with strong citizen-led committees. In the words of one participant, “If there are controversial issues, [other communities say] let Woodstock do it first!”

Edwardsville is the only downstate municipality to have successfully passed a plastic bag law. The ordinance was scheduled to take effect April 1, 2020, but was delayed due to COVID-19 concerns. The initiative was spearheaded by a local grassroots environmental group formed specifically to encourage people to switch to reusable bags. As in other communities, proponents started with community education but eventually identified a law as the best way to change behavior. They initially targeted the cities of Edwardsville and Glen Carbon, which are contiguous, but Glen Carbon is not a home rule municipality. Interviewees did not describe Edwardsville as progressive, but they did stress that it is a college town where green space is valued.

In each of these municipalities, passing a plastic bag law was a multiyear process. While Chicago’s 2014 ban seemed to tip more communities into action, many had previously discussed plastic bag ordinances. Table 2 summarizes the driving factors described by our study participants.

TABLE 2
DRIVING FACTORS ASSOCIATED WITH THE SUCCESSFUL ADOPTION OF PLASTIC BAG ORDINANCES IN ILLINOIS MUNICIPALITIES

Geographic proximity to another municipality with a plastic bag law
Strong citizen-led environmental advisory committee
Strong citizen-led community activism around environmental issues
Sense of civic pride and commitment to environmental leadership
Desire to do something locally to impact a global problem
Supportive city officials
Supportive (or neutral) retailers, especially “big box” stores

FEATURES OF THE ORDINANCES IN ILLINOIS

Leaders in all five communities said they researched how to craft an effective plastic bag ordinance, including examining example ordinances from other U.S. cities. Table 3 compares the key features of the ordinances that were eventually adopted. In our interviews, we asked participants why they decided to adopt these features.

BAN VERSUS FEE OR TAX

Whether to ban plastic bags or use a fee or tax to discourage their use was actively debated in each of these five municipalities. Chicago initially adopted a ban in part because city aldermen were approached about a bag law by entrepreneurs who manufactured a compostable bag that they hoped would replace the traditional thin, single-use polyethylene bags stores used. At the time, bans were a more common form of plastic bag legislation in the United States (Wagner, 2017), and there was a sense that, in the words of one participant, “if plastic bags are a problem, we should get rid of them.”

The ban in Chicago was repealed and replaced in 2016 because there was a sense that retailers were circumventing it by selling thicker plastic bags and consumers were not switching to reusable bags. Retailers also had to bear the cost of offering more costly alternative bags. According to one pre- and post-bag tax research study (Homonoff *et al.*, 2018), the Chicago bag tax is more effective than the initial ban in reducing plastic bag usage and encouraging consumers to switch to reusable bags. Research and theory in behavioral science demonstrates that people are profoundly “loss averse.” People will adjust behavior and switch to reusable bags or use fewer single-use bags in order to avoid losing even a small amount of money.

Evanston adopted a plastic bag ban similar to Chicago’s in 2015. Many of our study participants from there were proud to still have a ban in place because it felt like a more definitive form of action. However, participants who were familiar with the Chicago case study thought Evanston’s law should probably be replaced with a fee or tax. According to one interviewee, “We’ve known for two years that the ban is ineffective. Other priorities have been elevated over this, but we’re building up a case to change this.” This participant also opined that partially defining a “reusable” bag as being thicker than 2.25 mil is the “fatal flaw” of the Evanston bag ban because it could allow retailers to claim thicker plastic bags are reusable.

In the three municipalities where bag laws were adopted after 2015 — Edwardsville, Oak Park, and Woodstock — community leaders and local officials determined after research that a fee would be more effective. They looked to the data from Chicago and other places that have adopted fees and sensed that, as one interviewee put it, “people like it to be a choice, not a mandate.” Existence of an option also makes it more likely that consumers think about whether they want to pay the fee each time they’re at the store and, ideally, become more aware of their plastic use.

TABLE 3**COMPARISON OF KEY FEATURES OF PLASTIC BAG ORDINANCES ADOPTED IN FIVE ILLINOIS MUNICIPALITIES**

	CHICAGO		EDWARDSVILLE
Effective date	8/1/2015 (ended 12/31/2016)	2/1/2017	4/1/2020*
Ban/tax/ fee	Ban	Tax of 7 cents/bag	Fee of 10 cents/bag
Single-use bags affected	Plastic	Plastic and paper	Plastic and paper
Tax/fee structure	N/A	2 cents to retailers, 5 cents to the city	10 cents to retailers
Revenue allocation	N/A	City's corporate fund	N/A
Retailers affected	Chain stores and franchises greater than 10,000 sq. ft. by 8/1/2015; all chain stores and franchises by 8/1/2016	All retailers	7,000 sq. ft. or greater
Reusable bag definition	Machine washable or made from a material that can be cleaned or disinfected; if made of plastic, at least 2.25 mils thick	No definition	Machine washable or made from a material that can be cleaned or disinfected; if made of plastic, at least 2.25 mils thick
Exemption for low-income customers	None	Customers with Supplemental Nutritional Assistance Program or similar government food assistance benefits	Stores may provide disposable bags free of charge to any consumer who participates in a State of Illinois food assistance program

* *Edwardsville's single-use bag ordinance effective date was postponed due to COVID-19.*

Table sources: City of Chicago (2014, 2016); City of Edwardsville (2019); City of Evanston (2014); Village of Oak Park (2017); City of Woodstock (2019).

EVANSTON	OAK PARK	WOODSTOCK
8/1/2015	1/1/2018	1/1/2020
Ban	Fee of 10 cents/bag	Fee of 10 cents/bag
Plastic	Plastic and paper	Plastic and paper
N/A	5 cents to retailers, 5 cents to the village	3 cents to retailers, 7 cents to the city
N/A	Village sustainability fund	City environmental management fund
Chain stores and franchises 10,000 sq. ft. or greater	5,000 sq. ft. or greater	5,000 sq. ft. or greater
Machine washable or made from a material that can be cleaned or disinfected; if made of plastic, at least 2.25 mils thick	Made of cloth, fiber, or other machine washable fabric	Made of cloth, fiber, or other machine washable fabric
None	None	None

FEE STRUCTURE AND USE

According to data from Bustos (2019), from February 2017 to March 2019, Chicago had an average monthly bag tax revenue of \$527,317. The same source also showed that from January 2018 to February 2019, Oak Park had an average monthly bag fee revenue of \$10,412.⁸ No revenue data is available for Woodstock yet. In Chicago, wholesalers collect the tax on bags they sell to retailers, remit it to the municipality, and then file tax returns. Retailers can charge consumers the fee (to offset their costs), but they don't have to pass on this cost to consumers. Bag law proponents worried that this would be confusing, but by their observation, 95% of retailers charge the fee. In Oak Park and Woodstock, retailers collect the fee and remit it to the municipality on a monthly basis.

The amount of money generated is likely sufficient to pay for costs associated with implementation and community education, but the amounts are often too small to support staff salaries or large projects in smaller municipalities. Our study participants stressed that revenue generation should not be the primary goal of passing a plastic bag law, but they also described the fee as an important bargaining chip when negotiating support from local officials.

In municipalities that opted for a bag fee or tax, there were also important decisions to make about where this money would go and how it would be used. So far, all the plastic bag ordinances in Illinois direct some or all of the revenue generated to the retailer to offset the costs of supplying alternative bags and adjusting their point-of-sale systems to collect the amount. As seen in Table 3, retailers in Edwardsville retain the entire fee, which interviewees said was a compromise to help get local stores on board with the ordinance. In Chicago, two cents go to the retailer and five to the city's general fund. According to one study participant involved in the passage of the Chicago bag tax, community members suggested the money be reinvested in environmental causes, but this was "quickly batted down."

In Woodstock and Oak Park, however, a portion of the fee collected by the city is earmarked specifically for environmental or sustainability funds. Woodstock uses some of the money to maintain a remediated Superfund site and, at the time of this research, both communities were actively discussing other uses for the funds. Proposals ranged from bike trails to additional waste management and waste reduction projects. Most study participants who supported bag taxes felt that revenue should stay local and go to relevant causes. However,

two people were concerned that if consumers think the money goes to a “good cause,” they might view it as a donation and not feel loss averse enough to use fewer plastic bags. As one interviewee explained, “We don’t want [paying the fee] to feel good.”

EXEMPTIONS AND ENFORCEMENT PENALTIES FOR RETAILERS

Another point of debate in formulating plastic bag ordinance policies focused on which retailers should be included. Each community had an interest in limiting any possible negative impacts on small businesses. Chicago’s and Evanston’s bans affected only chain stores and franchises; in other communities, a minimum square footage was used to exempt smaller retailers. In the words of one participant, “Our small businesses ... are our heart, and they are very fragile. If they feel threatened, we need to address their concerns at every chance.” During the discussion processes, officials often identified which stores would be affected at different square footage thresholds to determine what seemed “right” locally. Most study participants saw exemptions for smaller stores as a necessary “starting point” and hoped the ordinance could be expanded to all retailers after a period of adjustment. Many smaller stores exempted from the ordinance began voluntarily offering non-plastic and reusable bag options anyway, participants noted.

Each ordinance specifies small penalties for retailers who do not comply, but study participants said they generally issued only verbal warnings. Fines were rarely (if ever) collected because most retailers adjusted quickly after a reprimand or explained why the complaint was invalid. None of our participants mentioned any significant costs associated with enforcement.

EXEMPTIONS FOR CONSUMERS

Only two of the five municipalities’ ordinances include exemptions for low-income consumers. In Chicago, the tax is not charged to customers who pay using Supplemental Nutritional Assistance Program (SNAP) or similar government food assistance benefits, and in Edwardsville, retailers can choose not to collect the fee from customers using these benefit programs. Study participants in the other three Illinois municipalities said they had discussed this at length and ultimately decided that the small charge was not onerous enough to justify an exemption. Several of the people we talked with posited that low-income customers should have the opportunity to choose whether to use plastic bags. Mentioned often among interviewees was the need to

meaningfully include residents, retailers, and elected representatives from low-income neighborhoods when developing and publicizing the ordinance so that the law can be adapted to fit local needs and concerns.

EDUCATION AND PHASE-IN PERIODS

In all five communities, the city or nonprofit organizations provided free reusable bags to community members before and after bag laws were enacted. In Woodstock, the city held a logo design contest and then distributed 15,000 bags with the winning design. In Oak Park, reusable bags are permanently available at local libraries and community centers. Before the ordinances went into effect, community leaders and municipal employees prepared the communities with education campaigns. This phase-in period also gave retailers time to adapt their point-of-sale systems and store signage.

CHALLENGES WITH IMPLEMENTATION

Overall, study participants indicated experiencing fewer challenges with implementation than they expected and said it seemed most people adjusted quickly. City officials reported receiving occasional and diminishing complaints from a “vocal minority.” They attributed this to how concessions were made during the development process to accommodate concerns (especially those from small businesses) and the fact that the fees (where applicable) were not enough to matter that much financially. Although some people initially worried that consumers would shop elsewhere, there was no evidence this had happened at any significant level.

No injunctions or lawsuits have been filed in response to these plastic bag laws. One chamber of commerce representative explained that, although some businesses in her city were unhappy with the ordinance, any negative impacts would cost more to fight (legally) than they would cost to “live with.” In communities with bag fees, the portion of the fee retained by retailers also helped to offset their costs. Chicago’s initial bag ban had been opposed by the Illinois Retail Merchants Association, but its representatives worked with bag law proponents to replace the ban with a fee. Most study participants said businesses affected by these laws were supportive or neutral throughout the process, and many pointed out that major chain stores had already handled similar laws in other regions.

When we asked about challenges, study participants focused on loopholes and unintended side effects they wish they had addressed when designing their ordinances. As mentioned before, some retailers in Evanston circumvent the single-use plastic ban simply by using thicker plastic bags that meet the 2.25 mil requirement. Community leaders expressed frustration at how this undermines the goal of the ordinance.⁹ Two study participants were also concerned about the increased use of paper bags, and cited research that said paper bags are also resource intensive to produce and potentially environmentally harmful.¹⁰ To close these loopholes, participants recommended not specifying bag thickness, carefully defining what is meant by “reusable,” and charging fees for both plastic and paper bags to encourage the use of nondisposable bags that can last for hundreds of uses.

PERSPECTIVES ON STATE-LEVEL PLASTIC BAG LEGISLATION

In February 2019, Illinois state legislators introduced three bills on single-use carryout and checkout bags: SB 1240, SB 3423, and HB 3335 (Table 4). These bills proposed a tax or fee from seven to 10 cents per single-use bag (including plastic, paper, or compostable bags). As seen in Table 4, the revenue would be divided according to specified structures, and the bills set up some exemptions for municipalities, customers, and retail establishments.

All three bills would limit home rule powers. Counties and municipalities that had plastic bag tax or fee ordinances in place by certain dates (February 1, 2018, for SB 1240 and HB 3335 and May 1, 2020, for SB 3423) may continue, but they wouldn’t be allowed to make any changes unless they are consistent with the proposed state bills. Counties and municipalities may not ban carryout bags under each of the bills, which means the ordinance in Evanston would be void if any of them pass.

Additionally, this year Illinois Governor JB Pritzker proposed a five-cents-per-bag tax in his draft 2020 budget where all five cents would go to the state’s General Revenue Fund. Currently, three state bills are at various stages of action, but Governor Pritzker’s bag tax proposal was not included in the state’s fiscal year 2020 budget.

Most study participants supported state-level legislation in the form of a bag tax or fee because it would reduce plastic waste generation in Illinois by a much larger percentage than their efforts. However, most also felt strongly that any bag laws passed at the state level should not preempt home rule in

TABLE 4
MAJOR PROVISIONS OF PROPOSED STATE LEGISLATION

BILL	SB 1240
Proposed date	2/6/2019
Introduced by	Sen. Terry Link
Tax/fee	7 cents
Carryout bag definition	Plastic, paper, or compostable bag
Revenue structure	2 cents to the retailer, 2 cents to the wholesaler, 3 cents to the state Checkout Bag Tax Fund
Municipal exemption	Municipalities with a population greater than 2.5 million
Customer exemption	Recipients of SNAP benefits or a similar governmental food assistance program
Retail establishment exemption	Food banks and other food assistance programs
Impact for municipalities	Limits home rule powers. A municipality may not ban carryout bags. A municipality that charged a fee or tax on carryout bags on February 1, 2018, may continue the charge but is not allowed to change the existing ordinance unless the change is to be consistent with this bill or eliminate the tax or fee altogether.
Last action	5/31/2019, Senate, Rule 3-9(a) / re-referred to Assignments

Table sources: Illinois General Assembly (2019a, 2019b, 2020).

SB 3423	HB 3335
2/13/2019	2/15/2019
Sen. Melinda Bush	Rep. Ann M. Williams
10 cents	10 cents
Plastic, paper, or compostable bag	Plastic, paper, or compostable bag
3 cents to the retailer, 4 cents to the state Checkout Bag Tax Fund, 1 cent to the Prairie Research Institute of the University of Illinois, 1 cent to the Solid Waste Management Fund, and 1 cent to the Partners for Conservation Fund	3 cents to the retailer, 4 cents to the state Checkout Bag Tax Fund, 1 cent to the Prairie Research Institute of the University of Illinois, 1 cent to the Solid Waste Management Fund, and 1 cent to the Partners for Conservation Fund
Municipalities with a population greater than 1,000,000	Municipalities with a population greater than 1,000,000
Recipients of SNAP benefits or a similar governmental food assistance program	Recipients of SNAP benefits or a similar governmental food assistance program
Food banks and other food assistance programs, mobile food delivery, or restaurants	Food banks and other food assistance programs, mobile food delivery, or restaurants
Limits home rule powers. A municipality may not ban carryout bags. A municipality that charged a fee or tax on carryout bags on May 1, 2020, may continue the charge but is not allowed to change the existing ordinance unless the change is to be consistent with this bill.	Limits home rule powers. A municipality may not ban carryout bags. A municipality that charged a fee or tax on carryout bags on February 1, 2018, may continue the charge but is not allowed to change the existing ordinance unless the change is to be consistent with this bill.
2/14/2019, Senate, referred to Assignments	6/23/2020, House, Rule 19(b) / re-referred to Rules Committee

municipalities that have passed or will pass their own local ordinances. They acknowledged that policy conformity would help eliminate a patchwork of local laws that could be confusing for consumers and discouraging for retailers, but they also thought plastic bag laws needed to be locally adapted to avoid unintended consequences, as well as keep revenue in the community. As one interviewee explained, “Legislation at the state level makes it easier for people, but local control is also important.” The notable exception to this stance was in Edwardsville, where the ordinance already includes what one participant called a “kill switch” where the local law would be automatically revoked if a state law passes.

Many of the people we interviewed viewed their actions as part of a larger process of building the pressure necessary to encourage more communities to adopt their own ordinances or to eventually pass a state-level plastic bag law. They said they actively shared information and advice with people in other communities in the hope that more of them would ban or tax bags, leading to a larger impact on plastic pollution.

POLICY RECOMMENDATIONS

The consensus among our study participants was that, after an initial period of adjustment, these plastic bag ordinances generated very little pushback from either retailers or local citizens and posed very few challenges in terms of implementation. They suggested several strategies for designing smarter plastic bag laws in Illinois.

EDUCATION AND COMMUNITY SUPPORT ARE ESSENTIAL

Local leaders recommended including education programs, reusable bag giveaways, and a phase-in period to allow consumers to learn about why single-use bags are harmful and make educated decisions about whether to continue using them.

FEES WORK, BUT THE GOAL IS TO REDUCE PLASTIC WASTE, NOT TO GENERATE REVENUE

According to our participants, bag fees or taxes may be more effective than bag bans on multiple levels. They effectively reduce single-use plastic bag use (ScaAN 2017; Thomas *et al.*, 2019), offset costs to retailers for providing bags and updating point-of-sale systems, and seem to be more appealing to

residents. The fees can also help fund municipal activities associated with the bag law (e.g., education campaigns and bag giveaways) or other environmental initiatives. They suggested discussing and carefully specifying in the ordinance how these funds will be used and who gets to make these decisions.

However, study participants stressed that because the ultimate goal is to reduce plastic bag use as much as possible, municipalities cannot become dependent on this revenue. If charging a bag fee or tax, plan for this funding source to shrink over time as people adjust to using fewer bags. The leaders we talked with recommended staying focused by setting goals and benchmarks for waste reduction and tracking progress with a plastic bag law as one component of a larger strategy.

BEWARE OF LOOPHOLES AND UNINTENDED CONSEQUENCES

Study participants suggested communities contemplating plastic bag rules should impose a fee on all single-use bags, not just plastic, and carefully define what is considered a “reusable” bag. They discouraged specifying bag thickness in the ordinance since this could lead retailers to switching to thicker bags, which use more plastic.

BUILD IN MECHANISMS TO ASSESS IMPACT AND EFFECTIVENESS

Although hundreds of communities in the United States have adopted plastic bag laws, very few have designed processes to systematically assess whether these laws are effective at reducing plastic bag use and whether they have unintended consequences (i.e., negative effects for retailers). Before enacting a law, plan to collect baseline data on plastic bag usage. After the law is enacted, continue to collect data at regular intervals to determine whether plastic bag use is declining, whether sales have been impacted, and other issues of concern to local community members. Consider partnering with a local university or hiring external consultants to do this research (possibly using the revenue generated by a fee). Nearly all the people we interviewed intended to do a better job of this in the future and wished they had discussed this more at the start. Good data on the effectiveness of these local policies will also be useful for thinking about how to improve plastic bag legislation state- and nationwide.

CONCLUSION

Illinois municipalities are already leading in implementing smart policies

designed to reduce plastic waste generation, and they will continue to do so. The experiences and perspectives of community leaders, municipal managers, and elected officials in these five Illinois communities help us better understand the role that plastic bag ordinances can play in waste reduction initiatives and how to make these laws more effective.

Their perspectives also help us understand what is driving the development of an “anti-plastics norm” in some Illinois communities. In their analysis of the global development of this new environmental norm, Clapp and Swanston (2009) described the global diffusion of an anti-plastics norm “as an ad hoc series of bottom-up events occurring simultaneously at different jurisdictional levels around the world” (p. 316). Our research suggests that in Illinois communities, the decision to focus on plastic bags as a point of entry for addressing larger concerns about plastics originated with active community members and city leaders inspired by widely circulating magazine articles, news reports, and documentaries about the harm caused by plastics, as well as other communities that have already passed plastic bag laws. Although diffusion is still “bottom-up,” it is clear that Illinois community members are beginning to draw on anti-plastics discourses that reflect a more uniform message on the problem with — and potential solutions for curbing our dependence on — single-use plastics.

In the United States, the “anti-plastics norm” has merged with the idea that behavioral economics can be used to design more effective solutions for curbing plastic use. It is essential that municipalities in Illinois and elsewhere collect better data on the results of these policies to determine how much plastic waste is being reduced and to lay the groundwork for more comprehensive initiatives. Ultimately, many of our study participants argued that an anti-plastics agenda was not enough to address their broader concerns about waste generation and management. They viewed plastic bag policies as a small first step in changing behaviors and mindsets surrounding waste.

The fact that plastic bag laws have only been passed in five municipalities (and not yet at the state level) suggests that there may still be resistance or indifference to this idea in many Illinois communities. Our study helps us understand how and why these laws were enacted in these five communities, but more research is needed to understand why plastic bag initiatives (and the development and diffusion of a broader anti-plastics norm) might have stalled or failed elsewhere. Experiences with the COVID-19 pandemic may also significantly alter public attitudes toward reusable versus disposable items, including single-use plastic bags. Despite these limitations, this research makes it clear that plastic bag laws

can be effective at reducing plastic bag usage and triggering behavioral change in a relatively short amount of time with few implementation challenges.

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ENDNOTES

¹ ReuseThisBag.com is a company that supplies wholesale reusable and recycled promotional bags. The American Recyclable Plastic Bag Alliance is a plastics-industry-funded lobby group that tracks plastic bag legislation in the United States. We cite these sources because their records on international, state, and municipal bag laws are more up-to-date than available scholarly sources, but neither of these websites is a neutral source of information.

² According to Article VII of the Illinois Constitution, units of local government with a population in excess of 25,000 have home rule status unless a referendum has been passed to remove home rule status. Other municipalities can elect to become home rule through a referendum. According to the Illinois Municipal League (2020), there are currently 217 home rule communities in Illinois.

³ For example, local plastic bag legislation has been discussed in Champaign-Urbana (Wade, 2012), Springfield (personal observation), Belleville (Metro East Earth Coalition, 2019), and according to our study participants, Algonquin and Glen Carbon.

⁴ We conducted these interviews using Zoom video conferencing software to allow for safe social distancing. We received approval for this research from the University of Illinois Springfield Institutional Review Board.

⁵ In Edwardsville, city officials postponed the start date for its ordinance. City officials in the other four Illinois municipalities have suspended enforcement of their plastic bag policies.

⁶ Research on health concerns associated with reusable bags is still in development, and this is an area of active public debate. In one peer-reviewed study (Williams *et al.*, 2011), researchers examined reusable shopping bags collected from a random sample of shoppers in San Francisco, Los Angeles, and Tucson for traces of common bacterial pathogens. They concluded that reusable bags could play a role in food cross-contamination and recommended that consumers wash or disinfect them regularly. In another study (Sinclair *et al.*, 2018), researchers sprayed reusable bags with a nonharmful virus and then examined how much viral material was transferred to store surfaces and the hands of shoppers and store clerks. They concluded that viral transfer

from reusable bags is a potential risk, and as a result, they recommended encouraging people to regularly wash and disinfect these bags. Sinclair, lead author on the 2018 study, has recommended (Potts, 2020) that reusable bags not be used during the coronavirus pandemic. However, in a statement released in June 2020, 125 health experts from around the world argued that reusable items (including bags) can be used safely during the pandemic if basic hygiene is employed because “available evidence indicates that the virus spreads primarily from inhaling aerosolized droplets, rather than through contact with surfaces” (Greenpeace International, 2020). Only one of our participants mentioned the research on reusable bags and health issues; she was very concerned that the plastics industry would exploit the pandemic to undermine progress made toward reducing the global use of disposable products. Advocates for reduced plastic waste nationally have expressed similar concerns (e.g., Sampson, 2020).

⁷ See Heshmat, 2018, for a very accessible introduction to the concept of loss aversion.

⁸ For Chicago, the revenue reported includes only the money remitted back to the city (five out of seven cents per bag) and not the amount retained by wholesalers. For Oak Park, the revenue reported includes only the money remitted back to the village (five out of 10 cents per bag) and not the amount retained by retailers.

⁹ This has also happened in stores in California, where a statewide ban went into effect in 2016 (Gardiner 2019).

¹⁰ To date, studies comparing the environmental impact of single-use paper versus plastic bags have varied widely in their methodology and conclusions (summarized in Singh & Cooper, 2017). Researchers use life-cycle analysis to determine how many resources are needed to produce the bag and measure environmental impacts that may result from a bag’s use and circulation before its disposal. Evidence suggests that paper bags are costlier to produce (in terms of inputs such as water and land space); however, plastic bags are more toxic and circulate in the environment as nonbiodegradable waste. Sturdy, nondisposable, reusable bags are preferable to either single-use plastic or paper bags.

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