

# LEGISLATIVE INITIATIVE

## **GENERAL SUBJECT AREA -- TITLE OF PROPOSAL:**

Authorize counties and towns to ban disposable plastic bags.

## **PROPOSAL:**

Modify § [58.1-1745](#). **Disposable plastic bag tax.** to authorize any county or city, by duly adopted ordinance, to ban distribution of disposable plastic bags. The proposal would authorize local jurisdictions to expand the types of retail establishments that would be covered by local ordinances.

## **SOURCE:**

Environmental Quality Advisory Council (EQAC)

## **BACKGROUND:**

Virginia Code § [58.1-1745](#) authorized “any county or city may, by duly adopted ordinance, impose a tax in the amount of five cents (\$0.05) for each disposable plastic bag provided, whether or not provided free of charge, to a consumer of tangible personal property by retailers in grocery stores, convenience stores; or drugstores.” On January 1, 2022, retail outlets in Fairfax county began collecting the tax. By December 2024, over 3.4 million fewer bags have been used since the tax took effect,<sup>i</sup> generating \$7.7 million in revenue to the county that has funded environmental education programs, pollution and litter mitigation and cleanup efforts, and the distribution of reusable bags to residents in need. From 2022 to 2023, there was a decrease of 2.5% in plastic bag use and a 5% drop from 2023 to 2024. That leaves a lot of bags, more than 32 million in 2024, still in circulation, still littering Fairfax streets, trees and waterways.<sup>ii</sup> Increasing the tax or flat out banning single use plastic bags will cut litter and trash.<sup>iii</sup> Many nations<sup>iv</sup> and ten states – California, Connecticut, Delaware, Hawaii, Maine, New Jersey, New York, Oregon, Vermont and Washington – had some form of statewide ban on single-use plastic bags as of 2023 and bans in Colorado and Rhode Island went into effect on the first day of 2024.<sup>v</sup> As of 2021, more than 500 cities and towns across 28 states had a plastic bag ordinance in effect.<sup>vi</sup> Legislation would authorize counties or cities to completely ban distribution of plastic bags in their jurisdictions and to extend the ban to additional classes of retail establishments.

## **STAFF RECOMMENDATION:**

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<sup>i</sup> <https://www.fairfaxcounty.gov/environment-energy-coordination/disposable-plastic-bag-tax-fairfax-county>

<sup>ii</sup> [https://www.fairfaxcounty.gov/boardofsupervisors/sites/boardofsupervisors/files/Assets/meeting%20materials/committees/2024/Agenda%20Item%205\\_Plastic%20Bag%20Tax%20Revenue%20NIP\\_A-1a.pdf](https://www.fairfaxcounty.gov/boardofsupervisors/sites/boardofsupervisors/files/Assets/meeting%20materials/committees/2024/Agenda%20Item%205_Plastic%20Bag%20Tax%20Revenue%20NIP_A-1a.pdf)

<sup>iii</sup> Using data compiled by the nonprofit Ocean Conservancy, researchers analyzed results from 45,067 shoreline cleanups between 2016 to 2023, along with a sample of 182 local and state policies enacted to regulate plastic shopping bags between 2017 and 2023. They found areas that adopted plastic bag policies saw a 25 to 47 percent reduction in the share of plastic bag litter on shorelines, when compared with areas without policies. The longer a

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policy was in place, the greater the reduction. <https://www.nytimes.com/2025/06/19/climate/plastic-bag-bans-litter.html>

<sup>iv</sup> [https://en.wikipedia.org/wiki/Plastic\\_bag\\_ban](https://en.wikipedia.org/wiki/Plastic_bag_ban)

<sup>v</sup> National Conference of State Legislatures, State Plastic Bag Legislation, <https://www.ncsl.org/environment-and-natural-resources/state-plastic-bag-legislation>.

<sup>vi</sup> Jennie Romer, Surfrider Foundation, Round-Up of Statewide Bag Laws and Preemption (blog post), February 24, 2021, <https://web.archive.org/web/20230829182153/>