

AMENDED IN SENATE JULY 13, 2023

AMENDED IN SENATE JUNE 29, 2023

AMENDED IN SENATE JUNE 19, 2023

AMENDED IN ASSEMBLY MAY 2, 2023

AMENDED IN ASSEMBLY APRIL 19, 2023

CALIFORNIA LEGISLATURE—2023–24 REGULAR SESSION

ASSEMBLY BILL

No. 1347

Introduced by Assembly Member Ting

February 16, 2023

An act to add Chapter 3.7 (commencing with Section 42190) to Part 3 of Division 30 of the Public Resources Code, relating to solid waste.

LEGISLATIVE COUNSEL’S DIGEST

AB 1347, as amended, Ting. Solid waste: paper waste: proofs of purchase.

Existing law prohibits certain stores from providing a single-use carryout bag to a customer at the point of sale and prohibits full-service restaurants from providing single-use plastic straws to consumers unless requested by the consumer.

This bill would, on and after January 1, 2026, require a business, as defined, that accepts payment through cash, credit, or debit transactions, subject to certain exceptions, to provide a consumer with the option to receive or not receive a proof of purchase. On and after January 1, 2026, the bill would prohibit a business from printing a paper proof of purchase if the consumer opts to not receive a proof of purchase, unless otherwise required by state or federal law. The bill would also exempt a business

from the requirement to provide the consumer with an option to not receive a proof of purchase if a consumer voluntarily opts in to receive a proof of purchase through the rules of an association, warehouse, or other club to which the consumer belongs. The bill would prohibit, on and after January 1, 2024, a paper proof of purchase provided to a consumer by a business from containing bisphenol A, and, on and after January 1, 2025, from containing any bisphenols. The bill would specify ~~that the first and 2nd violations of the requirements of the bill would result in a notice of violation and any subsequent~~ a violation would be punishable by a civil penalty of ~~\$25~~ \$100 for each day the business is in violation, ~~but not to exceed an annual total of \$300.~~ \$3,000. The bill would authorize the Attorney General, a county counsel, a district attorney, or a city attorney to enforce those provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. The Legislature finds and declares all of the
- 2 following:
- 3 (a) The report titled “Skip the Slip: Environmental Costs &
- 4 Human Health Risks of Paper Receipts with Proposed Solutions”
- 5 from Green America found that more than 3,000,000 trees and
- 6 10,000,000,000 gallons of water in America are used to create
- 7 proof of purchase receipts.
- 8 (b) Receipts generate 334,000,000 pounds of waste and over
- 9 5,000,000,000 pounds of carbon dioxide, the equivalent of more
- 10 than 471,000 cars on the road, and most paper receipts contain
- 11 chemicals that would contaminate other recyclable paper materials.
- 12 (c) The Ecology Center found that 93 percent of paper receipts
- 13 are coated with bisphenol A (BPA) or bisphenol S (BPS)
- 14 chemicals. The United States Food and Drug Administration has
- 15 banned BPA from baby bottles because those chemicals are known
- 16 to disrupt hormones, causing cancerous tumors, birth defects, and
- 17 other developmental issues.
- 18 (d) The BPA or BPS on receipts can enter people’s bodies
- 19 simply through touch, which poses a major risk to retail workers,
- 20 who have 30 percent more BPA or BPS found in their bodies than
- 21 others who do not have regular contact with receipts, according

1 to the Environmental Working Group and the Centers for Disease
2 Control and Prevention.

3 (e) The State of Connecticut banned the use of receipt paper
4 containing BPA in 2011, the State of Illinois banned receipt paper
5 containing BPA in 2019, and the European Union restricted the
6 use of BPA in thermal paper beginning in 2020 and is also
7 investigating similar restrictions on the use of BPS.

8 (f) Prohibiting businesses from providing paper receipts except
9 upon request would have significant positive environmental and
10 public health effects.

11 SEC. 2. Chapter 3.7 (commencing with Section 42190) is added
12 to Part 3 of Division 30 of the Public Resources Code, to read:

13
14 CHAPTER 3.7. PROOF OF PURCHASE

15
16 42190. For purposes of this chapter, the following definitions
17 apply:

18 (a) (1) "Business" means a person that accepts payment through
19 cash, credit, or debit transactions.

20 (2) "Business" does not include any of the following:

21 (A) A health care provider, as defined in Section 123105 of the
22 Health and Safety Code.

23 (B) An entity organized as a nonprofit institution that has annual
24 gross sale receipts of less than two million dollars (\$2,000,000).

25 (C) Except for purposes of subdivision (b) of Section 42190.1,
26 an entity that is not subject to the California Consumer Privacy
27 Act of 2018 (Title 1.81.5 (commencing with Section 1798.100)
28 of Part 4 of Division 3 of the Civil Code).

29 (b) "Consumer" means a person who purchases, and does not
30 offer for resale, food, alcohol, other tangible personal property, or
31 services.

32 (c) "Invoice" means an itemized list of goods or services
33 provided before or after the point of sale through a contract stating
34 the amount due.

35 (d) "Person" includes any individual, firm, association,
36 organization, partnership, limited liability company, business trust,
37 corporation, or company.

38 (e) "Proof of purchase" means a receipt for the retail sale of
39 food, alcohol, or other tangible personal property, or for the

1 provision of services, provided at the point of sale, but does not
2 include an invoice.

3 42190.1. (a) (1) On and after January 1, 2026, a business shall
4 offer a consumer, on equal terms, the option to receive a proof of
5 purchase or not receive proof of purchase.

6 (2) On and after January 1, 2026, a business shall not print a
7 paper proof of purchase if the consumer opts to not receive a proof
8 of purchase, unless otherwise required by state or federal law.

9 (3) Notwithstanding paragraphs (1) and (2), a business is not
10 required to provide the consumer with an option to not receive a
11 proof of purchase if a consumer voluntarily opts in to receive a
12 proof of purchase through the rules of an association, warehouse,
13 or other club to which the consumer belongs.

14 (b) On and after January 1, 2024, a paper proof of purchase
15 provided to a consumer by a business shall not contain bisphenol
16 A. On and after January 1, 2025, a paper proof of purchase
17 provided to a consumer by a business shall not contain any
18 bisphenols.

19 (c) The Attorney General, a district attorney, a county counsel,
20 or a city attorney may enforce this section. ~~The first and second~~
21 ~~violations of this section shall result in a notice of violation, and~~
22 ~~any subsequent~~ A violation shall be punishable by a civil penalty
23 of ~~twenty-five dollars (\$25)~~ *one hundred dollars (\$100)* for each
24 day the business is in violation, ~~but not to exceed three hundred~~
25 ~~dollars (\$300)~~ *three thousand dollars (\$3,000)* annually.

26 (d) (1) This section does not alter any consumer privacy
27 protection provided by law, including, but not limited to, those
28 protections provided pursuant to the California Consumer Privacy
29 Act of 2018 (Title 1.81.5 (commencing with Section 1798.100)
30 of Part 4 of Division 3 of the Civil Code), including the
31 amendments approved by the voters in Proposition 24 at the
32 November 3, 2020, statewide general election, and the
33 Song-Beverly Credit Card Act of 1971 (Title 1.3 (commencing
34 with Section 1747) of Part 4 of Division 3 of the Civil Code),
35 including paragraph (2) of subdivision (a) of Section 1747.08 of
36 the Civil Code.

37 (2) This section does not alter any other consumer right under
38 federal, state, or local law.

39 (e) This section does not prohibit a business from offering a
40 consumer the option of receiving an electronic proof of purchase,

- 1 including, but not limited to, an email proof of purchase or text
- 2 proof of purchase, unless otherwise prohibited by state or federal
- 3 law.

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