

**Before the Senate Local Government, Public Safety and Veterans Affairs Committee  
Opponent Testimony on Senate Bill 222**

Chairman Manning, Vice Chair Brenner, Ranking Member Maharath and members of the Senate Local Government, Public Safety and Veterans Affairs Committee, my name is Kevin Hengehold, and I am testifying in opposition to SB 222.

SB 222 undermines the long standing doctrine of Home Rule by concentrating government power in Columbus. Local municipalities know the needs of their communities best. Applying a one-size-fits-all policy from Columbus, tying the hands of municipalities to regulate auxiliary containers, flies in the face of our proud history of Home Rule and principle of local self-governance. Please don't put the state in the position of defending a law that oversteps its authority, wasting precious time and resources.

SB 222 constitutes government interference in the marketplace. Consumers, industry, and local governments are already heading towards reducing or eliminating single-use plastics. 82 million people live in areas with bans or fees on auxiliary containers.<sup>1</sup> Kroger has announced that it's phasing out single-use plastic bags by 2025. Aldi already doesn't offer single-use plastic bags. The future is clear, and the legislature shouldn't interfere in the market to prop up a dying industry.

SB 222 takes away the freedom and liberty of citizens to decide how to manage resources such as plastics within their communities. Ohio has 35.9 years of capacity left at MSW landfills.<sup>2</sup> Cities should be free to implement programs and policies that decrease the amount of trash going to landfills. We know these kinds of bans and fees are effective. When California adopted a ban on single-use plastic bags, plastic grocery bag litter dropped by 72%,<sup>3</sup> and they saw a 28 million pound decrease in plastic bag waste.<sup>4</sup> San Jose's ban resulted in an 89% decrease in plastic pollution in storm drains, and reduced downtime at municipal solid waste operations by up to 50%.<sup>5</sup> Municipalities can realize real savings through bans and fees like these, and it should be up to them to determine if it's appropriate for their city, not Columbus.

---

<sup>1</sup> <https://www.forbes.com/sites/trevornace/2018/09/20/heres-a-list-of-every-city-in-the-us-to-ban-plastic-bags-will-your-city-be-next/#1239b28f3243>

<sup>2</sup> [https://epa.ohio.gov/portals/34/document/guidance/gd\\_1008.pdf](https://epa.ohio.gov/portals/34/document/guidance/gd_1008.pdf)

<sup>3</sup> <https://www.cawrecycles.org/recycling-news/xtj9dcga9bmh5daxn4sw4kry4zpndg>

<sup>4</sup> <https://www.cawrecycles.org/recycling-news/xtj9dcga9bmh5daxn4sw4kry4zpndg>

<sup>5</sup> [http://publicfiles.surfrider.org/Plastics/Plastic\\_Bag\\_Law\\_Activist\\_Toolkit\\_2019.pdf](http://publicfiles.surfrider.org/Plastics/Plastic_Bag_Law_Activist_Toolkit_2019.pdf)

Ohio's anti-littering laws are ineffective in addressing the pollution problem caused by single use auxiliary containers. According to Waste Management, 1% of plastic bags are returned for recycling.<sup>6</sup> The rest end up littering our streets, clogging our sewers, and filling our landfills. The task then falls to municipalities to pick up litter, address sewer and stormwater issues, process garbage, and pull plastic waste out of recycling equipment. If they want to reduce these costs by decreasing the amount of auxiliary container waste in their communities, it should be their right to do so.

At least 349 municipalities and 8 states have passed bans or fees on auxiliary containers, specifically single-use plastic bags.<sup>7</sup> Current ordinances cover 25% of the population of this country including cities from Alaska to the Carolinas. If a retailer wants to compete in this country, they have to be able to adapt to these situations. For industry to attempt to insulate itself from these changes in Ohio only makes it less able to compete in the rest of the country.

SB 222 ties the hands of local governments who may need innovative methods of raising revenue. According to the 2018 Financial Health Indicators report, of the 247 cities in Ohio, 22 cities are in some form of financial stress, and 100 cities are spending more than they're taking in as revenue.<sup>8</sup> These municipalities should have the option to consider raising revenue as they deem appropriate, and the legislature shouldn't preempt them from doing this.

For these reasons, please vote no on SB 222.

---

<sup>6</sup> <http://www.wmnorthwest.com/guidelines/plasticvspaper.htm>

<sup>7</sup> <https://www.forbes.com/sites/trevornace/2018/09/20/heres-a-list-of-every-city-in-the-us-to-ban-plastic-bags-will-your-city-be-next/#1239b28f3243>

<sup>8</sup> <https://ohioauditor.gov/publications/fhi%20update%202018%20FINAL.pdf>