



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

HB1087

Introduced 1/9/2025, by Rep. Terra Costa Howard

SYNOPSIS AS INTRODUCED:

105 ILCS 5/10-20.88 new
105 ILCS 5/34-18.88 new

Amends the School Code. Provides that, after January 1, 2027, a school district may not procure disposable food service containers that are composed in whole or in part from polystyrene foam for use at any school and instead shall offer only compostable foodware or recyclable foodware for use at the school. Provides that, after January 1, 2028 or at the renewal of its next contract, whichever occurs later, no vendor contracted through a school district may provide a school with disposable food service containers that are composed in whole or in part from polystyrene foam at any site owned or leased by the school district and instead shall offer only compostable foodware or recyclable foodware for use at sites owned or leased by the school district.

LRB104 05569 LNS 15599 b

STATE MANDATES
ACT MAY REQUIRE
REIMBURSEMENT

A BILL FOR

1 AN ACT concerning education.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The School Code is amended by adding Sections
5 10-20.88 and 34-18.88 as follows:

6 (105 ILCS 5/10-20.88 new)

7 Sec. 10-20.88. Single-use plastics prohibition.

8 (a) As used in this Section:

9 "Compostable" means that the item meets the ASTM D6400
10 standard of compostability and has been certified by the
11 Biodegradable Products Institute as compostable.

12 "Compostable foodware" means containers, bowls, straws,
13 plates, trays, cartons, cups, lids, forks, spoons, knives, and
14 other items that are designed for one-time use for beverages,
15 prepared food, or leftovers from meals that are compostable.

16 "Disposable food service container" means serviceware
17 designed for one-time use. "Disposable food service container"
18 includes, but is not limited to, serviceware for take-out
19 foods, bakery products, and leftovers from partially consumed
20 meals. "Disposable food service container" does not include
21 polystyrene foam coolers, egg carton containers, ice chests
22 that are used for the processing or shipping of seafood, or
23 serviceware that is used to contain, transport, or otherwise

1 package raw, uncooked, or butchered meat, poultry, fish, or
2 seafood.

3 "Polystyrene foam" means blown polystyrene and expanded or
4 extruded foams using a styrene monomer.

5 "Recyclable foodware" means items that are designed for
6 one-time use for beverages, prepared food, or leftovers from
7 meals and that are commonly accepted in local curbside
8 residential recycling pick up.

9 "Serviceware" means a container, bowl, plate, tray,
10 carton, cup, lid, or other item designed to contain,
11 transport, serve, or aid in the consumption of food or
12 beverages.

13 (b) After January 1, 2027, a school district may not
14 procure disposable food service containers that are composed
15 in whole or in part from polystyrene foam for use at any school
16 and instead shall offer only compostable foodware or
17 recyclable foodware for use at the school.

18 (c) After January 1, 2028 or at the renewal of its next
19 contract, whichever occurs later, no vendor contracted through
20 a school district may provide a school with disposable food
21 service containers that are composed in whole or in part from
22 polystyrene foam at any site owned or leased by the school
23 district and instead shall offer only compostable foodware or
24 recyclable foodware for use at sites owned or leased by the
25 school district.

1 (105 ILCS 5/34-18.88 new)

2 Sec. 34-18.88. Single-use plastics prohibition.

3 (a) As used in this Section:

4 "Compostable" means that the item meets the ASTM D6400
5 standard of compostability and has been certified by the
6 Biodegradable Products Institute as compostable.

7 "Compostable foodware" means containers, bowls, straws,
8 plates, trays, cartons, cups, lids, forks, spoons, knives, and
9 other items that are designed for one-time use for beverages,
10 prepared food, or leftovers from meals that are compostable.

11 "Disposable food service container" means serviceware
12 designed for one-time use. "Disposable food service container"
13 includes, but is not limited to, serviceware for take-out
14 foods, bakery products, and leftovers from partially consumed
15 meals. "Disposable food service container" does not include
16 polystyrene foam coolers, egg carton containers, ice chests
17 that are used for the processing or shipping of seafood, or
18 serviceware that is used to contain, transport, or otherwise
19 package raw, uncooked, or butchered meat, poultry, fish, or
20 seafood.

21 "Polystyrene foam" means blown polystyrene and expanded or
22 extruded foams using a styrene monomer.

23 "Recyclable foodware" means items that are designed for
24 one-time use for beverages, prepared food, or leftovers from
25 meals and that are commonly accepted in local curbside
26 residential recycling pick up.

1 "Serviceware" means a container, bowl, plate, tray,
2 carton, cup, lid, or other item designed to contain,
3 transport, serve, or aid in the consumption of food or
4 beverages.

5 (b) After January 1, 2027, the school district may not
6 procure disposable food service containers that are composed
7 in whole or in part from polystyrene foam for use at any school
8 and instead shall offer only compostable foodware or
9 recyclable foodware for use at the school.

10 (c) After January 1, 2028 or at the renewal of its next
11 contract, whichever occurs later, no vendor contracted through
12 the school district may provide a school with disposable food
13 service containers that are composed in whole or in part from
14 polystyrene foam at any site owned or leased by the school
15 district and instead shall offer only compostable foodware or
16 recyclable foodware for use at sites owned or leased by the
17 school district.