



SB 1383 Tier 1 & Tier 2 Generator Definitions

Tier 1 – Starting January 1, 2022

- **Supermarkets** – A full-line, self-service retail store with gross annual sales of two million dollars (\$2,000,000) or more, and sells a line of dry grocery, canned goods, or nonfood items and some perishable items.
- **Grocery Store** – Grocery store with a total facility size equal to or greater than 10,000 square feet.
- **Food Service Providers** – A company that distributes food to entities including but not limited to supermarkets and grocery stores. (Examples: US Foods, Sysco, Tyson)
- **Wholesale Food Vendors** – A business or establishment engaged in the merchant wholesale distribution of food, where food (including fruits and vegetables) is received, shipped, stored, and prepared for distribution to a retailer, warehouse, distributor, or other destination

Tier 2 – Starting January 1, 2024

- **Restaurants** – Restaurant with 250 or more seats, or a total facility size equal to or greater than 5,000 square feet. (**Note:** A restaurant will qualify as a Tier 2 Generator if it meets either one of the qualifications)
- **Hotels** – Hotel with an on-site food facility and 200 or more rooms.
- **Health Facilities** – Health facility with an on-site food facility and 100 or more beds.
- **Large Venues** – A permanent venue facility that annually seats or serves an average of more than 2,000 individuals within the grounds of the facility per day of operation.
- **Large Events** – An event including but not limited to a sporting event, a flea market or festival, charges an admission price, or is operated by a local agency, and serves an average of more than 2,000 individuals per day of operation of the event at a location that includes but is not limited to a public, nonprofit, or privately owned park, parking lot, golf course, street system, or other open space when being used for an event.
- **State Agencies** – A state agency with a cafeteria with 250 or more seats or a total cafeteria facility size equal to or greater than 5,000 square feet.
- **Local Education Agencies** – A school district, charter school, or county office of education that is not subject to the control of city or county regulations with an on-site food facility.
- **Non-Local Entities** – An entity that is an organic waste generator but is not subject to the control of a jurisdiction's regulations related to solid waste. This may include but is not limited to special districts, federal facilities, prisons, facilities operated by the state parks system, public universities, including community colleges, county fairgrounds, and state agencies.