

Banning Plastic Straws

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Issue

Have any states enacted laws banning plastic straws?
Has Connecticut considered legislation to do so?

Summary

No state has enacted a ban on plastic straws; however, California recently passed a law prohibiting full-service restaurants from automatically providing them to customers. Customers may receive a straw if they request one. State or local health officers enforce the law. A restaurant's first two violations yield notices of violation (i.e., warnings); subsequent violations are infractions, punishable by a fine of \$25 per day, not to exceed \$300 annually. The law specifies that it does not preempt local ordinances or rules with more restrictive requirements. (Cities such as Malibu, San Francisco, and Santa Cruz have bans on plastic straws in restaurants.)

Connecticut has not considered legislation to ban plastic straws statewide, but in 2017 the legislature considered a bill to require the state's Recycle CT Foundation, Inc. to educate the public about (1) problems caused by marine debris, including plastic straws, and (2) how to decrease marine debris in the state's waters and along the state's shorelines ([SB 995](#)). (An earlier version of the bill also banned plastic straws in state parks.)

Additionally, a proposal to ban plastic straws failed in Hawaii this year ([SB 2285](#)) and proposals are pending in New York ([S08726](#) and [A09994](#)) and in New Jersey ([S2776](#) and [A4330](#)). Hawaii's proposal sought to ban distributing, selling, or providing straws made of plastic, even in part. The proposal in New York bans certain restaurants from providing plastic straws to customers, unless

one is explicitly requested or selected from a self-serve dispenser. New Jersey's bill bans selling or providing single-use plastic straws to customers, unless requested by someone who needs it due to a disability or medical condition. Violators of the bans are subject to fines.

California Plastic Straw Law

California passed a law this year prohibiting full-service restaurants from automatically providing customers with single-use plastic straws. The law takes effect January 1, 2019.

The law applies to restaurants that have employees escort or assign customers to an eating area, take orders after customers are seated, directly deliver food or beverages to customers, and deliver the check directly to the customer at the eating area. Consequently, the law does not apply to fast food restaurants.

Plastic Straw Definition

Under California's law, a "single-use plastic straw" is a disposable tube made mainly of plastic that is derived from either petroleum or a biologically based polymer, such as plant sources, used to transfer a beverage from a container to the mouth of the person drinking the beverage.

The definition specifically excludes straws made from non-plastic materials (e.g., paper, pasta, sugar cane, wood, bamboo).

A first or second violation results in a notice of violation. Subsequent violations are infractions, punishable by a fine of \$25 for each day a restaurant is in violation, but the law caps the amount of fines a restaurant may receive each year at \$300.

The following health officers are tasked with enforcing the law: (1) the director, agents, or environmental health specialists appointed by the State Public Health Officer; (2) local health directors; and (3) directors of environmental health and their duly authorized registered environmental health specialists and trainees.

Connecticut Proposal

In 2017, Connecticut's Environment Committee held a public hearing on a bill that, among other things:

1. prohibited the dispensing or carrying in of single-use plastic straws and certain eating utensils in state parks and
2. required Recycle CT Foundation, Inc. ("Recycle CT") to promote public information programs and educational activities to (a) increase awareness of the problems caused by marine debris and (b) decrease marine debris in state waters and on shorelines. (Recycle CT is a

nonprofit corporation established by state law to promote and coordinate efforts to increase the state's recycling and reuse rate ([CGS § 22a-228a](#)).

The committee subsequently favorably reported a substitute that did not include the ban on plastic straws and utensils in state parks, but kept the requirement for Recycle CT to promote public information programs and educational activities. The substitute bill also specified that marine debris included such things as beverage container caps, beverage containers, cigarette butts, and single-use plastic straws and eating utensils.

Under the bill, public information programs and activities included:

1. informational signs placed near shorelines that explain how to reduce marine debris and
2. interactive videos available through quick response (QR) bar codes that show (a) the potential effects of marine debris on marine life and habitat and (b) actions a person may take to reduce marine debris.

The bill also authorized Recycle CT to issue grants for entities to produce the signs and videos.

The Senate did not take the bill up for a vote.

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