



General Assembly

February Session, 2020

Raised Bill No. 299

LCO No. 1522



Referred to Committee on ENVIRONMENT

Introduced by:
(ENV)

AN ACT CONCERNING THE DISTRIBUTION OF SINGLE-USE PLASTIC STRAWS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective January 1, 2021*) (a) For purposes of this
2 section:

3 (1) "Consumer" means any person who is a business invitee of a full
4 service restaurant;

5 (2) "Single-use plastic straw" means a single-use, disposable tube
6 made predominantly of plastic derived from either petroleum or a
7 biologically based polymer, such as corn or other plant sources, used to
8 transfer a beverage from a container to the mouth of the person drinking
9 the beverage. "Single-use plastic straw" does not include a straw made
10 from nonplastic materials, including, but not limited to, paper, pasta,
11 sugar cane, wood, metal or bamboo.

12 (3) "Full-service restaurant" means any establishment with the
13 primary business purpose of serving food, where food may be
14 consumed on the premises, and where all of the following actions are

15 taken by an employee of the establishment:

16 (A) The consumer is escorted or assigned to an assigned eating area.
17 The employee may choose the assigned eating area or may seat the
18 consumer according to the consumer's need for accommodation or other
19 request;

20 (B) The consumer's food and beverage orders are taken after the
21 consumer is seated at the assigned seating area;

22 (C) The food and beverage orders are delivered directly to the
23 consumer;

24 (D) Any requested items associated with the consumer's food or
25 beverage order are brought to the consumer; and

26 (E) The check for payment of such food or beverage order is delivered
27 directly to the consumer at the assigned eating area.

28 (b) No owner or operator of a full-service restaurant shall provide a
29 single-use plastic straw to a consumer unless requested by the
30 consumer, except such owner or operator may provide a single-use
31 plastic straw to any person with a disability. Nothing in this section shall
32 be construed to require any such owner or operator who does not
33 otherwise provide single-use plastic straws to consumers to provide
34 consumers with such straws.

35 (c) The provisions of this section may be enforced by any municipal
36 health department or district department of health that has jurisdiction
37 over the subject full-service restaurant. The owner or operator of a full-
38 service restaurant that violates the provisions of this section shall be
39 issued a warning for the first and second violations of the provisions of
40 this section. Any such owner or operator who violates the provisions of
41 this section on a third or subsequent occasion shall be fined twenty-five
42 dollars for each day such full-service restaurant is in violation provided
43 such fines shall not exceed three hundred dollars in any year.

44 (d) Nothing in this section shall be construed to prevent any
45 municipality from adopting and implementing an ordinance or rule that
46 would further restrict an owner or operator of a full-service restaurant
47 from providing a single-use plastic straw to a consumer, provided no
48 such ordinance or rule shall prohibit any such owner or operator from
49 providing a single-use plastic straw to a person with a disability.

This act shall take effect as follows and shall amend the following sections:		
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Section 1	<i>January 1, 2021</i>	New section
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Statement of Purpose:

To curtail the automatic distribution of single-use plastic straws in the state at certain locations.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]