



General Assembly

Substitute Bill No. 6608

January Session, 2023



AN ACT CONCERNING THE DISTRIBUTION OF SINGLE-USE PLASTIC STRAWS AND STIRRERS BY CERTAIN RESTAURANTS.

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

1 Section 1. (NEW) (*Effective January 1, 2024*) (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 or stirrer" means a single-use,
6 disposable tube or stick, as applicable, made predominantly of plastic
7 derived from either petroleum or a biologically based polymer, such as
8 corn or other plant sources, used to transfer a beverage from a
9 container to the mouth of the person drinking the beverage or used to
10 stir such beverage. "Single-use plastic straw or stirrer" does not include
11 a straw or stirrer made from nonplastic materials, including, but not
12 limited to, paper, pasta, sugar cane, wood, metal or bamboo; and

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

17 (A) The consumer is escorted or assigned to an assigned eating area.

18 The employee may choose the assigned eating area or may seat the
19 consumer according to the consumer's need for accommodation or
20 other request;

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

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

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

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

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

36 (c) Each owner or operator of a full-service restaurant shall provide
37 training regarding the requirements of this section to: (1) Each current
38 employee of such restaurant, not later than ninety days after the
39 effective date of this section, and (2) each employee of such restaurant
40 that is hired after such effective date, not later than thirty days after
41 such employee's date of hire.

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

48 plastic straw or stirrer, as applicable, to a person with a disability.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>January 1, 2024</i>	New section
-----------	------------------------	-------------

ENV *Joint Favorable Subst.*