
A BILL FOR AN ACT

RELATING TO MICROPLASTIC.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that plastic does not
2 biodegrade like organic materials. Instead, upon exposure to
3 the elements, plastic photodegrades into smaller pieces, thereby
4 causing land and water pollution that is virtually impossible to
5 remediate.

6 Personal care products, such as facial scrubs, soaps, and
7 toothpaste, increasingly contain thousands of microplastic
8 particles, ranging in size from fifty to five hundred microns,
9 which are frequently flushed down drains as part of their
10 intended use. These microplastics are not recoverable through
11 ordinary wastewater treatment and are thus released into the
12 environment.

13 These microplastics have been found in surface waters
14 across the nation as well as in fish, marine mammals, reptiles,
15 and in the digestive and circulatory systems of mussels and
16 worms. From these digested microplastics, polycyclic aromatic
17 hydrocarbon, polychlorinated biphenyls, and polybrominated



1 diphenyl ethers from plastic transfer to fish tissue during
2 digestion and accumulate there, resulting in liver damage.
3 Furthermore, some of these affected fish are also consumed by
4 humans.

5 In addition, the legislature finds that there are many
6 biodegradable, natural alternatives to microplastics that are
7 economically feasible, as evidenced by their current use in some
8 personal care products.

9 The purpose of this Act is to protect Hawaii's environment
10 by prohibiting the sale or promotional offering of cleaning
11 products or personal care products that contain microplastic.

12 SECTION 2. Section 342D, Hawaii Revised Statutes is
13 amended by adding a new section to be appropriately designated
14 and to read as follows:

15 "§342D- Microplastic; ban. (a) No person shall sell or
16 offer for promotional purposes any cleaning products or personal
17 care products that contain microplastic.

18 (b) A person who violates this section shall be fined
19 \$ for each separate violation. Each day the violation
20 continues shall constitute a separate violation.



1 (c) All fines collected under subsection (c) shall be
2 deposited into the water pollution control revolving fund
3 established under section 342D-83.

4 (d) The department shall adopt rules pursuant to chapter
5 91 to implement this section.

6 (e) As used in this section:

7 "Cleaning products or personal care products" means
8 mixtures and solutions used for bathing and cleaning, including
9 hand and body soap, exfoliates, shampoos, toothpastes, and
10 scrubs.

11 "Microplastic" means any plastic that is five millimeters
12 or less in size in all dimensions.

13 "Person" means an individual, trust, firm, joint stock
14 company, corporation, company, partnership, limited liability
15 company, or association."

16 SECTION 3. New statutory material is underscored.

17 SECTION 4. This Act shall take effect on July 1, 2015.

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INTRODUCED BY: Fakadi Om BR

JAN 26 2015



H.B. NO. 817

Report Title:

Microplastic; Ban

Description:

Prohibits the sale or promotional offering of cleaning products and personal care products that contain microplastic.

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