
A BILL FOR AN ACT

RELATING TO SINGLE-USE PLASTIC STRAWS.

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

1 SECTION 1. Chapter 339, Hawaii Revised Statutes, is
2 amended by adding a new section to be appropriately designated
3 and to read as follows:
4 "§339- Single-use plastic straws; prohibited acts. (a)
5 A full-service restaurant shall not provide a single-use plastic
6 straw to a consumer unless requested by the consumer.
7 (b) Any full-service restaurant who violates this section
8 shall be issued a notice of violation by the director for the
9 first and second violations. For any subsequent violations, a
10 full-service restaurant shall be subject to a fine imposed by
11 the director of \$25 per day of violation, not to exceed \$300
12 during any calendar year. Any action taken to impose or collect
13 the fines provided for in this section shall be considered a
14 civil action.
15 (c) For purposes of this section:
16 "Consumer" means a person who is a member of the public,
17 takes possession of food or beverages, is not functioning in the



1 capacity of an operator of a food facility, and does not offer
2 the food or beverage for resale.

3 "Full-service restaurant" means an establishment with the
4 primary business purpose of serving food, where food may be
5 consumed on the premises, and where all of the following actions
6 are taken by an employee of the establishment:

7 (1) The consumer is escorted or assigned to an assigned
8 eating area. The employee may choose the assigned
9 eating area or may seat the consumer according to the
10 consumer's need for accommodation or other request;

11 (2) The consumer's food and beverage orders are taken
12 after the consumer has been seated at the assigned
13 seating area;

14 (3) The food and beverage orders are delivered directly to
15 the consumer;

16 (4) Any requested items associated with the consumer's
17 food or beverage order are brought to the consumer;
18 and

19 (5) The check is delivered directly to the consumer at the
20 assigned eating area.



1 "Single-use plastic straw" means a single-use, disposable
2 tube made predominantly of plastic derived from either petroleum
3 or a biologically based polymer, such as corn or other plant
4 sources, used to transfer liquid from a container to the mouth
5 of the person drinking a beverage. "Single-use plastic straw"
6 does not include a straw made from non-plastic materials,
7 including but not limited to paper, pasta, wood, or bamboo."

8 SECTION 2. New statutory material is underscored.

9 SECTION 3. This Act shall take effect on July 1, 2100.



Report Title:

Single-use Plastic Straws; Full-service Restaurants; Prohibition

Description:

Prohibits a full-service restaurant from providing a single-use plastic straw to a consumer unless requested by the consumer.
(HB762 HD2)

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