

JAN 17 2020

A BILL FOR AN ACT

RELATING TO SMALL PLASTIC BOTTLES.

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

1 SECTION 1. Chapter 342G, Hawaii Revised Statutes, is
2 amended by adding a new part to be appropriately designated and
3 to read as follows:

4 "PART . SMALL PLASTIC BOTTLES

5 §342G-A Definitions. As used in this part, unless the
6 context otherwise requires:

7 "Hosted rental" means a house, apartment, or other livable
8 space where the person providing sleeping accommodations is a
9 permanent resident who lives on the premises.

10 "Lodging establishment" means an establishment that
11 contains one or more sleeping room accommodations that are
12 rented or otherwise provided to the public, including but not
13 limited to a hotel, condominium hotel, motel, resort, bed and
14 breakfast inn, transient vacation rental, or transient
15 accommodation. "Lodging establishment" does not include a
16 hospital, nursing home, residential retirement community,



1 prison, jail, homeless shelter, boarding school, worker housing,
2 long-term rental, or hosted rental.

3 "Personal care product" means shampoo, hair conditioner,
4 and bath soap.

5 "Plastic" means any synthetic material made from organic
6 polymers, such as polyethylene, polyvinyl chloride (PVC), or
7 nylon, that can be molded into shape while soft and then set
8 into a rigid or slightly elastic form. "Plastic" includes all
9 materials identified with resin codes one to seven, inclusive,
10 as provided in section 342H-42.

11 "Small plastic bottle" means a plastic bottle or container
12 with less than a six-ounce capacity that is intended to be
13 nonreusable by the end user.

14 **§342G-B Prohibition on small plastic bottles.** (a)
15 Beginning on January 1, 2024, a lodging establishment with more
16 than fifty rooms shall not provide a small plastic bottle
17 containing a personal care product to a person staying in a
18 sleeping room accommodation, in any space within the sleeping
19 room accommodation, or within bathrooms shared by the public or
20 guests of the lodging establishment.



1 (b) Beginning January 1, 2025, a lodging establishment
2 with fifty rooms or less shall not provide a small plastic
3 bottle containing a personal care product to a person staying in
4 a sleeping room accommodation, in any space within the sleeping
5 room accommodation, or within bathrooms shared by the public or
6 guests of the lodging establishment.

7 (c) A lodging establishment may use bulk dispensers of
8 personal care products to reduce plastic waste and lower
9 operating costs.

10 (d) A lodging establishment may provide personal care
11 products in small plastic bottles to a person at no cost, upon
12 request, at a place other than a sleeping room accommodation, a
13 space within the sleeping room accommodation, or within
14 bathrooms shared by the public or guests of the lodging
15 establishment.

16 **§342G-C Violations; penalties.** The department or other
17 local agency with authority to inspect sleeping accommodations
18 in a lodging establishment may issue a citation for violation of
19 section 342G-B. Upon a first violation, either the department
20 or appropriate local agency shall issue a written warning, which
21 shall recite the violation and advise that subsequent violations



1 may result in citations. Upon a second or subsequent violation,
2 either the department or appropriate local agency may assess a
3 civil penalty of \$500 for each day the lodging establishment is
4 in violation, but not to exceed \$2,000 per year.

5 **§342G-D Rules.** The department may adopt rules in
6 accordance with chapter 91 to implement this part.

7 **§342G-E Relation to county ordinances.** This part shall
8 not prohibit the enactment or implementation of any county
9 ordinance that is at least as stringent as this part; provided
10 that no county ordinance shall supersede or prevent the
11 implementation and reinforcement of section 342G-B."

12 SECTION 2. This Act does not affect rights and duties that
13 matured, penalties that were incurred, and proceedings that were
14 begun before its effective date.

15 SECTION 3. In codifying the new sections added by section
16 1 of this Act, the revisor of statutes shall substitute
17 appropriate section numbers for the letters used in designating
18 the new sections in this Act.

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1 SECTION 4. This Act shall take effect upon its approval.

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INTRODUCED BY:

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S.B. NO. 2436

Report Title:

Lodging Accommodations; Small Plastic Bottles; Prohibition; Penalty

Description:

Beginning January 1, 2024, for lodging establishments with more than fifty rooms, and January 1, 2025, for lodging establishments with fifty rooms or less, prohibits a lodging establishment from providing a small plastic bottle containing less than six ounces of a personal care product to a person staying in a sleeping room accommodation, in any space within the sleeping room accommodation, or within a bathroom shared by the public or guests. Authorizes the department of health or local agency with authority to inspect sleeping accommodations in a lodging establishment to enforce prohibition and issue written warning and assess a penalty.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

