

JAN 17 2020

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# A BILL FOR AN ACT

RELATING TO PROCUREMENT.

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

1           SECTION 1. Chapter 103D, Hawaii Revised Statutes, is  
2 amended by adding a new section to part IV to be appropriately  
3 designated and to read as follows:

4           "§103D-       Beverages in plastic bottles or rigid plastic  
5 containers; prohibition on using state funds to purchase. (a)  
6 Notwithstanding sections 103D-102(b)(3), (b)(4)(H), and  
7 (b)(4)(L) and 103D-305 to the contrary, no state agency shall  
8 use state funds for the purchase of beverages in plastic bottles  
9 or rigid plastic containers, except as provided in subsection  
10 (b).

11           (b) The following circumstances shall constitute  
12 exceptions to subsection (a):

13           (1) Public health and safety preparedness, emergencies,  
14 investigations, and extended deployments or  
15 activations of the office of hazard evaluation and  
16 emergency response of the department of health or the  
17 department of defense;



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- 1        (2) Situations where there is high risk of cross-  
2                    contamination with non-potable or contaminated water;
- 3        (3) Purchases made in relation to the licensed blind  
4                    vendor program;
- 5        (4) Purchases of water by the department of land and  
6                    natural resources for wildland firefighters of the  
7                    division of forestry and wildlife; and
- 8        (5) Situations where there are no reasonable alternatives  
9                    to beverages in plastic bottles or rigid plastic  
10                   containers, such as large public events and when large  
11                   quantities of beverages may need to be distributed for  
12                   health and safety reasons.

13        (c) For purposes of this section:

14        "Plastic bottle" shall have the same meaning as in section  
15 342H-41.

16        "Rigid plastic container" shall have the same meaning as in  
17 section 342H-41.

18        "State agency" means a department, division, agency,  
19 office, board, commission, bureau, or council of the State.

20        "State funds" means any money deposited into or drawn from  
21 the state treasury or any special or trust fund of the State.



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1 "State funds" includes any money appropriated by the State and  
2 transferred to any state agency that is used by the state  
3 agency, in whole or in part, to purchase goods or services."

4 SECTION 2. New statutory material is underscored.

5 SECTION 3. This Act shall take effect upon its approval.

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# S.B. NO. 2720

**Report Title:**

Procurement; Plastic Bottles; Rigid Plastic Containers

**Description:**

Prohibits the expenditure of state funds by state agencies for the purchase of beverages in plastic bottles or rigid plastic containers, except under certain circumstances.

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

