

JAN 27 2021

A BILL FOR AN ACT

RELATING TO PUBLIC PROCUREMENT.

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

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

"§103D- Beverages in plastic bottles or rigid plastic containers; prohibition on using state funds to purchase. (a)
Notwithstanding sections 103D-102(b)(3), (b)(4)(H), and (b)(4)(L), and 103D-305 to the contrary, no state agency shall use state funds for the purchase of beverages packaged in plastic bottles or rigid plastic containers except for purchases:

(1) For public health and safety preparedness, emergency response, investigations, or extended deployments or activations of the:

(A) Office of hazard evaluation and emergency response of the department of health;

(B) Department of defense; or

(C) Department of land and natural resources;



1 (2) Made in response to circumstances in which there is a
2 high risk of cross-contamination with non-potable or
3 contaminated water;

4 (3) Related to the licensed blind vendor program,
5 including purchases made from the Randolph-Sheppard
6 revolving account or other funds in support of the
7 blind vendor program;

8 (4) Of potable water by the department of land and natural
9 resources for wildland firefighters of the division of
10 forestry and wildlife;

11 (5) For which there are no reasonable alternatives to
12 beverages in plastic bottles or rigid plastic
13 containers, such as large public events or
14 circumstances in which large quantities of beverages
15 are to be distributed for health and safety reasons;
16 and

17 (6) Of an incidental nature in which only a single serving
18 beverage is being purchased for immediate consumption.

19 (b) For the purposes of this subsection:

20 "Plastic bottle" shall have the same meaning as in section
21 342H-41.



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

"State agency" means any department, commission, council, board, bureau, authority, institution, legislative body, agency, committee, government corporation, or other establishment or office of the executive, legislative, or judicial branch of the State, including the office of Hawaiian affairs.

"State funds" means any moneys appropriated to or authorized to be expended by a state agency. "State funds" shall be construed broadly to include any moneys from any fund from which a state agency may make expenditure, whether the fund is within or outside of the state treasury."

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

SECTION 3. New statutory material is underscored.

SECTION 4. This Act shall take effect on July 1, 2021.

INTRODUCED BY:

Take effect on July 1, 2021.

James H. Tuttle



S.B. NO. 960

Report Title:

Procurement Code; Government Purchases; Plastic Containers;
Prohibition

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.

