

JAN 22 2021

A BILL FOR AN ACT

RELATING TO PLASTIC STRAWS.

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

1 SECTION 1. The legislature finds that Americans use five
2 hundred million disposable drinking straws daily, according to
3 the National Park Service. To visualize this, five hundred
4 million straws would circle the earth two and a half times.
5 These straws are made of plastic, intended for one-time use,
6 rarely recycled, and are seemingly everywhere. Often the
7 plastic straws end up as marine trash, clogging up oceans, and
8 entangling or being consumed by sea life. Conservationists
9 report that plastic straws are among the most common plastic
10 items volunteers clean from beaches.

11 While the legislature encourages consumers to change their
12 habits and refuse plastic straws, legislative action can have a
13 more effective impact on the abundant use of plastic straws.
14 Some jurisdictions, such as Seattle, Washington, have already
15 taken steps to prohibit the selling and distribution of straws,
16 and many more are considering similar legislation. The



S.B. NO. 208

1 legislature also finds that when a straw is necessary, there are
2 numerous alternatives including reusable and paper straws.

3 The purpose of this Act is to prohibit the distribution,
4 sale, or provision of plastic straws by individuals and
5 businesses, and establish a fine for violators.

6 SECTION 2. Chapter 342H, Hawaii Revised Statutes, is
7 amended by adding a new section to be appropriately designated
8 and to read as follows:

9 "§342H- Plastic straws; prohibited. (a) Except as
10 provided by subsection (c), no individual or business shall
11 distribute, sell, or otherwise provide a straw composed in full
12 or in part of plastic.

13 (b) Any individual or business who violates subsection (a)
14 shall be fined no less than \$100 and no more than \$500 for each
15 offense.

16 (c) A business may provide a single-use plastic straw,
17 upon request, to an individual for whom a non-plastic straw is
18 unsuitable due to a medical or physical condition. A business
19 may purchase or otherwise acquire single-use plastic straws in
20 sufficient numbers to meet the needs of individuals who request
21 plastic straws due to a medical or physical condition. Nothing



1 in this section shall conflict, or be construed to conflict,
2 with the Americans with Disabilities Act, the Disabled Persons
3 Act, or other applicable laws concerning the rights of
4 individuals with disabilities.

5 (d) As used in this section:

6 "Business" means any commercial enterprise or establishment
7 operating in the State, including any individual proprietorship,
8 joint venture, partnership, corporation, limited liability
9 company, or other legal entity, whether for profit or not for
10 profit, and includes all employees of the business or any
11 independent contractors associated with the business.

12 "Plastic" means any material made of polymeric organic
13 compounds and additives that can be shaped by flow."

14 SECTION 3. This Act does not affect rights and duties that
15 matured, penalties that were incurred, and proceedings that were
16 begun before its effective date.

17 SECTION 4. New statutory material is underscored.

18 SECTION 5. This Act shall take effect on January 1, 2022.

19

INTRODUCED BY:

Hal Heath



S.B. NO. 208

Report Title:

Plastic Straws; Prohibition; Fine; Exemption

Description:

Prohibits the distribution, sale, and provision of plastic straws, except for those who request single-use plastic straws for medical reasons. Establishes a fine for violators. Takes effect 1/1/2022.

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

