

JAN 21 2026

A BILL FOR AN ACT

RELATING TO PLASTIC POLLUTION.

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

1 SECTION 1. The legislature finds that single-use plastic
2 beverage containers and their plastic beverage caps pose a
3 significant danger to the ocean and sustainability of the
4 environment. More than one billion single-use plastic beverage
5 containers are purchased every day around the world. In
6 Hawaiian waters, fish have been reported to consume plastic
7 particles just days after being born due to the fifteen to
8 twenty tons of marine trash washing ashore each year.

9 The legislature also finds that plastic beverage caps have
10 become an increasing source of marine pollution. The Ocean
11 Conservancy, a nonprofit organization with over fifty years of
12 dedication toward conservation, has reported that plastic
13 beverage caps are listed as one of the top five deadliest forms
14 of marine pollution, especially to large marine species. As
15 plastic beverage caps are too small to be properly sorted at
16 recycling facilities, they are often sent to the landfill, where
17 they contribute to long-term environmental contamination.



1 Additionally, plastic beverage caps also generate microplastics
2 once degraded into the environment. The act of the twisting
3 motion used to remove a cap from its plastic ring also
4 contributes to microplastic dispersal.

5 International efforts, such as the European Union's
6 Single-Use Plastics Directive (SUPD), have demonstrated
7 preventative approaches to global plastic pollution, rather than
8 relying on clean-up and recycling-focused mitigation measures,
9 according to a 2024 report. Specifically, Article 6 of SUPD
10 requires all single-use beverage containers of up to three
11 liters in size to have attached caps and lids to reduce litter
12 and improve convenience for consumers. In the 2024 report by
13 The Ocean Conservancy, it was reported that the SUPD is
14 "significantly improving bottle cap recyclability."

15 The legislature therefore finds that there is an
16 opportunity to reduce harmful waste in Hawaiian waters from
17 plastic beverage caps. Due to the European Union's adoption of
18 SUPD, California has revived its efforts to enact legislation
19 requiring tethered beverage caps. By enacting similar
20 legislation, the State can further demonstrate its commitment to
21 environmental preservation and ecological sustainability.



1 Accordingly, the purpose of this Act is to reduce plastic
2 pollution in the State's environment, particularly plastic
3 beverage caps from single-use plastic beverage containers.

4 Specifically, this Act:

5 (1) Defines the terms "plastic beverage cap" and
6 "single-use plastic beverage container";

7 (2) Prohibits the sale of any beverage contained in a
8 single-use plastic beverage container where the
9 plastic beverage cap is not tethered to the single-use
10 plastic beverage container when the plastic beverage
11 cap is removed; and

12 (3) Requires plastic beverage caps tethered or otherwise
13 attached to the single-use plastic beverage containers
14 to be the same plastic resin.

15 SECTION 2. Section 339-1, Hawaii Revised Statutes, is
16 amended by adding two new definitions to be appropriately
17 inserted and to read as follows:

18 "Plastic beverage cap" means a cap that is composed wholly
19 or primarily of plastic and that is screwed onto or otherwise
20 affixed to a single-use plastic beverage container. "Plastic
21 beverage cap" does not include a cap that is composed wholly or



1 primarily of a nonplastic material but also contains a plastic
2 seal.

3 "Single-use plastic beverage container" means a bottle,
4 can, jar, carton, or other container that:

5 (1) Is composed wholly or primarily of plastic;

6 (2) Contains one liter or less of a beverage; and

7 (3) Is intended to be disposed of after one use."

8 SECTION 3. Section 339-7, Hawaii Revised Statutes, is
9 amended to read as follows:

10 **"§339-7 Beverage container requirements.** (a) No person
11 in this State shall manufacture or import for sale in this State
12 or offer for sale at wholesale in this State after July 1, 1979,
13 or sell for retail in this State after October 1, 1979, any
14 beverage in metal containers so designed and constructed that a
15 part of the container is permanently detached in opening the
16 container. However, nothing in this subsection shall prohibit
17 the sale or offer for sale of a container the only detachable
18 part of which is a piece of pressure sensitive tape.

19 (b) Beginning January 1, , no manufacturer shall
20 import for sale, sell, offer for sale, or distribute for sale in
21 the State any beverage in a single-use plastic beverage



1 container with a plastic beverage cap unless the plastic
2 beverage cap is composed of a plastic resin with the same resin
3 identification code as the single-use plastic beverage container
4 as determined in accordance with the Standard Practice for
5 Coding Plastic Manufactured Articles for Resin Identification of
6 the American Society for Testing and Materials, ASTM D7611, and
7 the plastic beverage cap:

8 (1) Is tethered to the single-use plastic beverage
9 container in a manner that prevents the separation of
10 the plastic beverage cap from the single-use plastic
11 beverage container when the plastic beverage cap is
12 removed from the single-use plastic beverage container
13 by the consumer; or

14 (2) Includes an opening where the beverage can be consumed
15 while the plastic beverage cap remains screwed onto or
16 otherwise affixed to the single-use plastic beverage
17 container.

18 ~~[(b)]~~ (c) Failure to comply with the provisions of this
19 section shall constitute a violation and shall carry a fine of
20 \$250. Each day of such failure shall constitute a separate
21 violation."



1 SECTION 4. Statutory material to be repealed is bracketed
2 and stricken. New statutory material is underscored.

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

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INTRODUCED BY: ALS



S.B. NO. 2205

Report Title:

Single-Use Plastic Beverage Containers; Plastic Beverage Caps;
Plastic Resin Identification; Prohibition

Description:

Prohibits the sale of any beverage contained in single-use plastic beverage containers where the plastic beverage cap is not tethered to the single-use plastic beverage container when the plastic beverage cap is removed. Requires plastic beverage caps tethered or otherwise attached to the single-use plastic beverage containers to be the same plastic resin.

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