

JAN 21 2026

A BILL FOR AN ACT

RELATING TO SINGLE-USE PLASTICS.

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

1 SECTION 1. The legislature finds that single-use plastic
2 utensils and other service ware pose significant environmental
3 and health concerns. Single-use plastic utensils are often
4 contaminated with food waste, which complicates recycling
5 efforts and increases the risk of spreading bacterial
6 contamination. The legislature further finds that current
7 recycling infrastructure is unable to process single-use plastic
8 service ware effectively, leading to increased landfill waste
9 and environmental pollution.

10 The legislature notes that several jurisdictions, including
11 California, Washington, and New York City, have enacted
12 distribution restrictions on single-use plastic service ware.
13 Data from these areas show a reduction in plastic pollution and
14 increased adoption of safer, reusable, or compostable
15 alternatives.

16 Accordingly, this Act aims to protect public health,
17 improve recycling system effectiveness, and reduce environmental



1 harm by prohibiting the distribution of single-use plastic
2 service ware in Hawaii.

3 SECTION 2. Chapter 342H, Hawaii Revised Statutes, is
4 amended by adding a new section to read as follows:

5 **"§342H- Single-use plastic service ware; prohibited."**

6 (a) After January 1, 2027, no business where food or beverages
7 are packaged and sold on the premises for individual consumption
8 shall sell or distribute single-use plastic service ware.

9 (b) Any business that violates this section shall be:

10 (1) Ordered to discontinue the sale or distribution of
11 service ware prohibited by this section; and
12 (2) If continuing the sale or distribution despite the
13 order, subject to a civil fine of not less than \$100
14 and not more than \$1,000 for each day of violation.

15 The director may initiate a civil action in any court of
16 competent jurisdiction for injunctive or other relief to correct
17 or abate violations of this section, collect administrative
18 penalties, or obtain other relief.

19 (c) As used in this section:

20 "Business" means any commercial enterprise or establishment
21 operating in the State, including an individual proprietorship,



1 joint venture, partnership, corporation, limited liability
2 company, or other legal entity, whether for profit or not for
3 profit, and includes any employee of the business or any
4 independent contractor of the business.

5 "Plastic":

6 (1) Means a synthetic or semisynthetic material chemically
7 synthesized by the polymerization of organic
8 substances that can be shaped into various rigid or
9 flexible forms;

10 (2) Includes, without limitation, polyethylene
11 terephthalate, high density polyethylene, polyvinyl
12 chloride, low density polyethylene, polypropylene,
13 polystyrene, polylactic acid, and aliphatic
14 biopolymers, such as polyhydroxyalkanoate and
15 polyhydroxybutyrate; and

16 (3) Does not include natural rubber, aluminum, glass,
17 paper, or polymers synthesized or derived primarily
18 from bamboo, sugarcane, coconut husk, cassava,
19 protein, starch, or other biomass.



1 "Service ware" means implements intended to assist in the
2 consumption of food, including spoons, forks, knives, and
3 stirrers. "Service ware" does not include straws.

4 "Single-use" means designed to be used once and discarded
5 and not designed for repeated use after sanitation."

6 SECTION 3. This Act does not affect rights and duties that
7 matured, penalties that were incurred, and proceedings that were
8 begun before its effective date.

9 SECTION 4. New statutory material is underscored.

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

11

INTRODUCED BY:

Lyn De Leite



S.B. NO. 2361

Report Title:

Department of Health; Solid Waste Pollution; Single-Use Plastic Service Ware; Ban

Description:

Prohibits the sale and distribution of single-use plastic service ware by food and beverage service businesses.

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