
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 plastics
2 are goods made from fossil fuel-based petrochemicals that are
3 intended to be disposed of shortly after use. Single-use
4 plastics are an example of a "throwaway culture" that
5 prioritizes convenience over durability and sustainability.
6 Globally, approximately three hundred million tons of plastic
7 are produced each year, even though less than ten per cent of
8 plastics ever produced have been recycled. Instead, discarded
9 plastics wind up in landfills, incinerators, and the
10 environment, ultimately breaking apart into tiny toxic pieces
11 called microplastics that contaminate water, food, and even the
12 air. Plastic pollution is a major threat to the oceans, the
13 environment, and human health. Furthermore, according to a 2021
14 report from Beyond Plastics, the plastic industry is on track to
15 overtake coal as a source of atmospheric greenhouse gas
16 emissions.



1 The legislature further finds that hotels and other lodging
2 establishments frequently provide complimentary toiletries that
3 are packaged in single-use plastic containers. This is not
4 consistent with the Hawaii tourism authority's strategic plan,
5 which cites the goals of promoting sustainable tourism,
6 preserving natural resources, and advocating for responsible
7 tourism in Hawaii that minimizes negative environmental impacts.
8 Some hotels have already transitioned away from single-use
9 plastics and instead provide bulk dispensers for personal-care
10 products or complimentary toiletries in packaging made of
11 sustainable materials. Therefore, the legislature finds that
12 there is an opportunity to reduce harmful plastic waste in
13 Hawaii while also making the visitor industry more sustainable.
14 The legislature additionally finds that California and New York
15 have already passed laws to do this.

16 Accordingly, the purpose of this Act is to prohibit lodging
17 establishments in the State from providing small plastic
18 containers of personal care products to any person staying in a
19 sleeping room accommodation, in any space within the sleeping
20 room accommodation, or in any bathroom used by the public or
21 guests.



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

4 **"§342H- Personal care products; small plastic**
5 **containers; lodging establishments; prohibited.** (a) Beginning
6 on:

7 (1) January 1, 2027, for lodging establishments with more
8 than fifty sleeping room accommodations; and
9 (2) January 1, 2029, for lodging establishments with fifty
10 or fewer sleeping room accommodations,
11 no lodging establishment shall provide a small plastic container
12 containing a personal care product to any person staying in a
13 sleeping room accommodation, in any space within the sleeping
14 room accommodation, or in any bathroom used by the public or
15 guests.

16 (b) A lodging establishment may:
17 (1) Use bulk dispensers of personal care products; and
18 (2) Provide personal care products packaged in containers
19 made from non-plastic materials to a person, upon
20 request, at a place other than:
21 (A) A sleeping room accommodation;



1 (B) A space within the sleeping room accommodation;
2 or
3 (C) Within any bathroom used by the public or guests.
4 (c) The department may inspect the sleeping room
5 accommodations and any bathroom used by the public or guests in
6 each lodging establishment and shall issue a citation for any
7 violation of subsection (a). Notwithstanding section 342H-9,
8 any lodging establishment that violates subsection (a) shall be
9 subject to a civil penalty of \$500 for the first violation and
10 \$2,000 for a second or subsequent violation. Each day of
11 continued violation under this section shall constitute a
12 separate and distinct offense for which the lodging
13 establishment may be penalized.

14 For purposes of this subsection, the attorney general may
15 bring an action in the circuit environmental court to impose a
16 civil penalty pursuant to this subsection.

17 (d) Nothing in this section shall prohibit a county from
18 enacting ordinances more stringent than this section.

19 (e) The department may adopt rules pursuant to chapter 91
20 to implement this section.

21 (f) As used in this section:



1 "Lodging establishment" means an establishment that
2 contains one or more sleeping room accommodations that are
3 rented or otherwise provided to the public, including a hotel,
4 condominium hotel, motel, resort, bed-and-breakfast home,
5 transient vacation rental, transient accommodation, or hosted
6 rental. "Lodging establishment" does not include a hospital,
7 nursing home, residential retirement community, prison, jail,
8 correctional facility, homeless shelter, boarding school, worker
9 housing, or long-term rental home.

10 "Personal care product" means shampoo, hair conditioner, or
11 bath soap.

12 "Plastic" means any synthetic material made from organic
13 polymers, such as polyethylene, polyvinyl chloride, or nylon,
14 that can be molded into shape while soft and then set into a
15 rigid or slightly elastic form. "Plastic" includes all
16 materials identified with resin codes one to seven, as provided
17 in section 342H-42.

18 "Small plastic container" means a plastic bottle or
19 container that has a capacity of six ounces or less.

20 "Transient accommodations" has the same meaning as in
21 section 237D-1."



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

4 SECTION 4. New statutory material is underscored.

5 SECTION 5. This Act shall take effect on July 1, 3000.



Report Title:

Personal Care Products; Small Plastic Containers; Lodging Establishments; Prohibition; Fines

Description:

Prohibits lodging establishments from providing personal care products in small plastic containers within sleeping room accommodations, any space within sleeping room accommodations, or bathrooms used by the public or guests. Establishes civil penalties. Effective 7/1/3000. (HD1)

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