

SB 90 A STAFF MEASURE SUMMARY

Carrier: Sen. Dembrow

Senate Committee On Environment and Natural Resources**Action Date:** 04/04/19**Action:** Do pass with amendments. (Printed A-Eng.)**Vote:** 5-0-0-0**Yeas:** 5 - Bentz, Dembrow, Olsen, Prozanski, Roblan**Fiscal:** Has minimal fiscal impact**Revenue:** No revenue impact**Prepared By:** Beth Patrino, LPRO Analyst**Meeting Dates:** 1/29, 2/28, 4/4**WHAT THE MEASURE DOES:**

Defines "food and beverage provider" as a business that, for compensation, offers or serves food or beverages to consumers. Defines "convenience store" as a business that, for compensation, offers or provides a range of commodities that includes food and beverages. Prohibits a food and beverage provider or convenience store from providing a single use plastic straw unless a consumer specifically requests a straw. Allows business to offer a straw to drive-through consumer. States prohibition does not apply to bulk sales of straws. Allows convenience stores to leave straws in unattended location if store does not have space to store straws in location where employees provide service to consumers. Authorizes enforcement officer to enforce provisions in the course of conducting an inspection. Directs business that violates straw prohibition is subject to a notice for first and second violation and, for subsequent violations, a fine of not more than \$25 for each day with total fines not to exceed \$300 for a calendar year. Prohibits a local government or municipality from enacting any law with different requirements after effective date of Act. Makes straw provisions effective January 1, 2020. Declares emergency, effective upon passage.

ISSUES DISCUSSED:

- Situations requiring use of straws
- Types of restaurants covered by measure
- Allowing small convenience stores to leave straws on counter by drinks if there is inadequate space behind a counter to store straws
- Effect of plastics in the environment
- Statewide vs. local straw policies

EFFECT OF AMENDMENT:

Replaces measure.

BACKGROUND:

Several cities have instituted bans on providing plastic straws to consumers, including Seattle, San Diego, Miami, and New York City. The City of Portland restricts certain establishments from providing single use plastic serviceware, including plastic straws, unless requested by a customer. Some companies have also agreed to phase out the use of plastic straws in their business practices, including Starbucks, American Airlines, and Hyatt. In 2018, California became the first state to pass legislation which prohibits full-service restaurants from providing single-use plastic straws to consumers unless requested by the consumer.

Senate Bill 90-A would prohibit food and beverage establishments from providing single-use plastic straws unless requested by a consumer. Drive-through customers may be offered a straw and convenience stores without adequate room behind a counter to store straws would be allowed to leave straws out for customers.