

Requested by Senator ROBLAN

**PROPOSED AMENDMENTS TO
SENATE BILL 90**

1 Delete lines 4 through 25 of the printed bill and insert:

2 **“SECTION 1. (1) As used in this section:**

3 **“(a) ‘Consumer’ means a person who orders a beverage in a full-**
4 **service restaurant in this state.**

5 **“(b) ‘Full-service restaurant’ means an establishment with the pri-**
6 **mary purpose of serving prepared food, where food may be consumed**
7 **on the premises and an employee of the establishment:**

8 **“(A) Escorts a consumer to an eating area;**

9 **“(B) Takes the consumer’s order after the consumer has been**
10 **seated;**

11 **“(C) Delivers the order to the consumer;**

12 **“(D) If the consumer requests an item associated with the order,**
13 **delivers the item to the consumer; and**

14 **“(E) Brings a check to the consumer in the area where the con-**
15 **sumer is seated.**

16 **“(c)(A) ‘Single-use plastic straw’ means a tube made primarily from**
17 **plastic that is derived from petroleum or a biologically based polymer,**
18 **such as corn or another plant source, and that is intended:**

19 **“(i) To transfer liquid from a container to a consumer’s mouth;**

20 **“(ii) For a single use; and**

21 **“(iii) For disposal after the single use.**

1 “(B) ‘Single-use plastic straw’ does not include a straw made from
2 materials other than plastic, including but not limited to paper, pasta,
3 sugar cane, wood or bamboo.

4 “(2) A full-service restaurant may not provide a single-use plastic
5 straw to a consumer unless the consumer specifically requests the
6 single-use plastic straw.

7 “(3) The Oregon Health Authority or its representative, or a local
8 public health authority to which the Oregon Health Authority has
9 delegated authority under ORS 624.510, shall enforce subsection (2) of
10 this section in the course of conducting an inspection of a full-service
11 restaurant under ORS 624.010 to 624.121.

12 “(4) This section preempts a local government from enacting an
13 ordinance, resolution or other regulation that places additional re-
14 strictions on the use of single-use plastic straws.

15 “SECTION 2. (1) For a first and second violation of section 1 of this
16 2019 Act, the Oregon Health Authority or a local public health au-
17 thority shall issue a notice.

18 “(2) For third and subsequent violations, the Oregon Health Au-
19 thority or a local public health authority shall impose a civil penalty
20 of not more than \$25 per day, except that civil penalties imposed on
21 an individual full-service restaurant under this section may not exceed
22 \$300 during one calendar year.

23 “(3) All penalties recovered under this section shall be paid into the
24 State Treasury and credited to the General Fund, and are available for
25 general governmental expenses.”.

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