

Requested by Senator SOLLMAN

**PROPOSED AMENDMENTS TO
SENATE BILL 551**

1 On page 1 of the printed bill, delete lines 8 through 28.

2 Delete pages 2 through 7 and insert:

3 **SECTION 1.** ORS 459A.755 is amended to read:

4 “459A.755. As used in this section and ORS 459A.757 and 459A.759:

5 “(1) ‘Garment bag’ means a large bag that incorporates a hanger on which
6 garments may be hung to prevent wrinkling during travel or storage.

7 “(2) ‘Local provision’ means a charter provision, ordinance, resolution or
8 other provision adopted by a city, county or other local government, as de-
9 fined in ORS 174.116.

10 “(3) ‘Nonwood renewable fiber’ means plant-based fiber other than fiber
11 derived from a tree.

12 “(4) ‘Recycled paper checkout bag’ means a paper bag that contains:

13 “(a) At least 40 percent post-consumer recycled fiber;

14 “(b) At least 40 percent nonwood renewable fiber; or

15 “(c) A combination of post-consumer recycled fiber and nonwood
16 renewable fiber that totals at least 40 percent.

17 “(5) ‘Restaurant’ means an establishment where the primary business is
18 the preparation of food or drink:

19 “(a) For consumption by the public;

20 “(b) In a form or quantity that is consumable then and there, whether or
21 not it is consumed within the confines of the place where prepared; or

1 “(c) In consumable form for consumption outside the place where pre-
2 pared.

3 “(6) ‘Retail establishment’ means a store that sells or offers for sale goods
4 at retail and that is not a restaurant.

5 “[7] ‘Reusable fabric checkout bag’ means a bag with handles that is spe-
6 cifically designed and manufactured for multiple reuse and is made of cloth
7 or other machine-washable fabric.]

8 “[8] ‘Reusable plastic checkout bag’ means a bag with handles that is
9 specifically designed and manufactured for multiple reuse and is made of du-
10 rable plastic that is at least four mils thick.]

11 “[9(a)] **(7)(a)** ‘Single-use checkout bag’ means a bag made of paper,
12 plastic or any other material that is provided by a retail establishment **or**
13 **restaurant** to a customer at the time of checkout, and that is not a recycled
14 paper checkout bag[, *a reusable fabric checkout bag or a reusable plastic*
15 *checkout bag*].

16 “(b) ‘Single-use checkout bag’ does not mean:

17 “(A) A bag that is provided by a retail establishment to a customer at a
18 time other than the time of checkout, including but not limited to bags pro-
19 vided to:

20 “(i) Package bulk items such as fruit, vegetables, nuts, grains, greeting
21 cards or small hardware items, including nails, bolts or screws;

22 “(ii) Contain or wrap frozen food, meat, fish, flowers, a potted plant or
23 another item for the purpose of addressing dampness or sanitation;

24 “(iii) Contain unwrapped prepared food or a bakery good; or

25 “(iv) Contain a prescription drug;

26 “(B) A newspaper bag, door hanger bag, garment bag, laundry bag or dry
27 cleaning bag; or

28 “(C) A bag sold in a package containing multiple bags for uses such as
29 food storage, garbage containment or pet waste collection.

30 “**SECTION 2.** ORS 459A.757 is amended to read:

1 “459A.757. (1) Except as provided in subsection (2) of this section, a retail
2 establishment may not provide:

3 “(a) Single-use checkout bags to customers.

4 “(b) Recycled paper checkout bags[, *reusable fabric checkout bags or re-*
5 *usable plastic checkout bags*] to customers unless the retail establishment
6 charges not less than five cents for each recycled paper checkout bag[, *re-*
7 *usable fabric checkout bag or reusable plastic checkout bag*].

8 “(2) A retail establishment may provide[:]

9 “[*(a) Reusable fabric checkout bags at no cost to customers as a promotion*
10 *on 12 or fewer days in a calendar year.*]

11 “[*(b)*] recycled paper checkout bags [*or reusable plastic checkout bags*] at
12 no cost to customers who:

13 “[*(A)*] (a) Use a voucher issued under the Women, Infants and Children
14 Program established under ORS 413.500.

15 “[*(B)*] (b) Use an electronic benefits transfer card issued by the Depart-
16 ment of Human Services.

17 “[*(3) Except as provided in subsection (4) of this section, a restaurant may*
18 *not provide:*]

19 “[*(a) single-use checkout bags to customers.*]

20 “[*(b) Reusable plastic checkout bags to customers unless the restaurant*
21 *charges not less than five cents for each reusable plastic checkout bag.*]

22 “**(3) A restaurant may not provide single-use checkout bags to cus-**
23 **tomers.**

24 “(4) A restaurant may provide[:]

25 “[*(a)*] recycled paper checkout bags at no cost to customers.

26 “[*(b) Reusable plastic checkout bags at no cost to customers who use an*
27 *electronic benefits transfer card issued by the Department of Human*
28 *Services.*]

29 “**SECTION 3.** ORS 459A.759 is amended to read:

30 “459A.759. To prohibit or limit the use of recycled paper checkout bags[,

1 reusable fabric checkout bags, reusable plastic checkout bags] or single-use
2 checkout bags by a restaurant or retail establishment, a city, county or other
3 local government, as defined in ORS 174.116:

4 “(1) May adopt a local provision that establishes definitions, requirements
5 and restrictions that are identical to the definitions, requirements and re-
6 strictions established by ORS 459A.755 and 459A.757.

7 “(2) May amend a local provision [*that was in effect before January 1,*
8 *2020,*] so the local provision establishes definitions, requirements and re-
9 strictions that are identical to the definitions, requirements and restrictions
10 established by ORS 459A.755 and 459A.757.

11 “(3) May adopt, amend or enforce a local provision to impose a penalty
12 other than the penalty established by ORS 459.993. A restaurant or retail
13 establishment may be charged with a violation under either the local pro-
14 vision or ORS 459.993, but not both.

15 “(4) May not adopt or enforce a local provision that establishes defi-
16 nitions, requirements or restrictions that are not identical to the definitions,
17 requirements and restrictions established by ORS 459A.755 and 459A.757.

18 “(5) Notwithstanding subsection (4) of this section, may adopt, amend or
19 enforce a local provision to require a restaurant or retail establishment to
20 charge a fee of more than five cents under provisions otherwise identical to
21 ORS 459A.757 (1)(b) [*and (3)(b)*].

22 **“SECTION 4. The amendments to ORS 459A.755, 459A.757 and**
23 **459A.759 by sections 1 to 3 of this 2025 Act become operative on Janu-**
24 **ary 1, 2027.**

25

26 **“SINGLE-USE PLASTIC UTENSILS AND CONDIMENTS**

27

28 **“SECTION 5.** ORS 616.892 is amended to read:

29 “616.892. (1) As used in this section:

30 “(a) ‘Consumer’ means an individual who orders a beverage of any de-

1 scription from a food and beverage provider in this state.

2 “(b) ‘Convenience store’ means a business that, for compensation, offers
3 or provides a range of commodities that includes food and beverages.

4 “(c) ‘Enforcement officer’ means an authorized representative of the State
5 Department of Agriculture who conducts inspections under ORS 616.286 or
6 an authorized representative of the Director of the Oregon Health Authority
7 or of a local government who conducts inspections under ORS 624.010 to
8 624.121 or 624.310 to 624.430.

9 “(d)(A) ‘Food and beverage provider’ means a business that, for compen-
10 sation, offers or serves food or beverages to a consumer.

11 “(B) ‘Food and beverage provider’ does not include a health care facility,
12 as defined in ORS 442.015, or a residential care facility, as defined in ORS
13 443.400, that provides single-use plastic straws to patients or residents.

14 **“(e)(A) ‘Plastic’ means a synthetic or semisynthetic material**
15 **chemically synthesized by the polymerization of organic substances,**
16 **including, but not limited to:**

17 **“(i) Polyethylene terephthalate (PET);**

18 **“(ii) High-density polyethylene (HDPE);**

19 **“(iii) Polyvinyl chloride (PVC);**

20 **“(iv) Low-density polyethylene (LDPE);**

21 **“(v) Polypropylene (PP);**

22 **“(vi) Polycarbonate (PC);**

23 **“(vii) Polystyrene (PS);**

24 **“(viii) Polylactic acid (PLA); and**

25 **“(ix) Aliphatic biopolyesters, such as polyhydroxyalkanoate (PHA)**
26 **and polyhydroxybutyrate (PHB).**

27 **“(B) ‘Plastic’ does not include natural rubber or naturally occurring**
28 **polymers such as proteins or starches.**

29 **“(f) ‘Single-use plastic condiment packaging’ means packaging**
30 **made partially or entirely of plastic and used to deliver to a consumer**

1 **a single serving of a condiment, including but not limited to single-**
2 **serving plastic packaging for ketchup, mustard, relish, mayonnaise,**
3 **hot sauce, coffee creamer, salad dressing, jelly, jam or soy sauce.**

4 “[*(e)*](A) (g)(A) ‘Single-use plastic straw’ means a tube made [*primarily*
5 *from*] **partially or entirely of plastic** [*that is derived from petroleum or a*
6 *biologically based polymer, such as corn or another plant source, and that is*]
7 **and intended:**

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

9 “(ii) For a single use; and

10 “(iii) For disposal after the single use.

11 “(B) ‘Single-use plastic straw’ does not include:

12 “(i) A straw made from materials other than plastic, including but not
13 limited to paper, pasta, sugar cane, wood or bamboo; and

14 “(ii) A plastic straw that is attached to or packaged with a beverage
15 container before the beverage container is offered for retail sale.

16 “(h)(A) ‘**Single-use plastic utensil**’ means a spoon, knife, fork,
17 **chopstick or other utensil made partially or entirely of plastic and**
18 **intended:**

19 “(i) **To be used for consuming food;**

20 “(ii) **For a single use; and**

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

22 “(B) ‘**Single-use plastic utensil**’ does not include a utensil made
23 **entirely of materials other than plastic.**

24 “(2)(a) A food and beverage provider or convenience store may not provide
25 a single-use plastic straw, **a single-use plastic utensil or single-use plas-**
26 **tic condiment packaging** to a consumer unless the consumer specifically
27 requests the single-use plastic straw, **single-use plastic utensil or single-**
28 **use plastic condiment packaging.**

29 “(b) Notwithstanding the prohibition in paragraph (a) of this subsection,
30 a consumer may request, and a food and beverage provider or a convenience

1 store may offer to the consumer, a single-use plastic straw, **single-use**
2 **plastic utensil or single-use plastic condiment packaging** in an area of
3 the food service provider’s or convenience store’s premises in which the
4 consumer may receive a delivery of prepared food or a beverage while seated
5 in or on a vehicle.

6 “(c) The prohibition in paragraph (a) of this subsection does not apply to
7 a convenience store that:

8 “(A) Sells or offers single-use plastic straws, **single-use plastic utensils**
9 **or single-use plastic condiment packaging** for sale in bulk or unconnected
10 with a sale or provision of food or a beverage; or

11 “(B) Makes single-use plastic straws, **single-use plastic utensils or**
12 **single-use plastic condiment packaging** available to consumers in an un-
13 attended location, provided that the convenience store may leave the single-
14 use plastic straws, **single-use plastic utensils or single-use plastic**
15 **condiment packaging** in an unattended location only if the convenience
16 store does not have space in which to store the single-use plastic straws,
17 **single-use plastic utensils or single-use plastic condiment packaging** in
18 a location where employees of the convenience store provide service to con-
19 sumers.

20 “(3) An enforcement officer may enforce subsection (2) of this section in
21 the course of conducting an inspection. A food and beverage provider or a
22 convenience store that violates subsection (2) of this section is subject to a
23 notice for a first and second violation and, for subsequent violations, to a
24 fine of not more than \$25 for each day in which the food and beverage pro-
25 vider or convenience store remains in violation of subsection (2) of this sec-
26 tion. The enforcement officer may not impose total fines of more than \$300
27 during a calendar year for a food and beverage provider’s or a convenience
28 store’s violation of subsection (2) of this section.

29 **“SECTION 6. ORS 616.894 is repealed.**

30 **“SECTION 7. The amendments to ORS 616.892 by section 5 of this**

1 **2025 Act become operative on July 1, 2026.**

2
3 **“SINGLE-USE PLASTIC HEALTH OR BEAUTY PRODUCTS**

4
5 **“SECTION 8. (1) As used in this section:**

6 **“(a)(A) ‘Lodging establishment’ means an establishment that con-**
7 **tains 50 or more sleeping room accommodations that are rented or**
8 **otherwise provided to the public on a temporary basis, including but**
9 **not limited to a hotel, motel, resort, bed and breakfast, inn, timeshare**
10 **property, short-term rental or vacation rental.**

11 **“(B) ‘Lodging establishment’ does not include a hospital, nursing**
12 **home, residential retirement community, prison, jail, homeless shel-**
13 **ter, boarding school, long-term rental or worker housing.**

14 **“(b) ‘Lodging unit’ means one self-contained unit of a lodging es-**
15 **tablishment.**

16 **“(c) ‘Personal health or beauty product’ means:**

17 **“(A) Shampoo, hair conditioner, soap, body wash, shower gel or any**
18 **other product that is intended to serve the same function as soap and**
19 **is intended to be applied to or used on the human body;**

20 **“(B) Lotion; or**

21 **“(C) Hand sanitizer.**

22 **“(d) ‘Small plastic personal health or beauty product container’**
23 **means a plastic bottle, tube, sachet or other plastic container with less**
24 **than a six-ounce capacity that is not intended to be reusable by the**
25 **end user and that contains a personal health or beauty product.**

26 **“(2) Except upon request, a lodging establishment may not provide**
27 **for the use of any person a personal health or beauty product in a**
28 **small plastic personal health or beauty product container, a plastic**
29 **wrapper or any other single-use plastic packaging.**

30 **“(3) Nothing in this section:**

1 “(a) Restricts the use of plastic refillable containers for bulk per-
2 sonal health or beauty products.

3 “(b) Restricts the use of single-use personal health or beauty prod-
4 uct containers, wrappers, or packaging that are not made with plastic.

5 “(c) Requires the use of refillable bulk personal health or beauty
6 product dispensers.

7 “(4) The Oregon Health Authority may adopt rules as necessary to
8 implement this section.

9 “SECTION 9. (1) Section 8 of this 2025 Act becomes operative on
10 January 1, 2027.

11 “(2) The Oregon Health Authority may take any action before the
12 operative date specified in subsection (1) of this section that is neces-
13 sary to enable the authority to exercise, on and after the operative
14 date specified in subsection (1) of this section, all of the duties, func-
15 tions and powers conferred on the authority by section 8 of this 2025
16 Act.

17 “SECTION 10. Section 8 of this 2025 Act is amended to read:

18 “**Sec. 8.** (1) As used in this section:

19 “(a)(A) ‘Lodging establishment’ means an establishment that contains
20 [50] **one** or more sleeping room accommodations that are rented or otherwise
21 provided to the public on a temporary basis, including but not limited to a
22 hotel, motel, resort, bed and breakfast, inn, timeshare property, short-term
23 rental or vacation rental.

24 “(B) ‘Lodging establishment’ does not include a hospital, nursing home,
25 residential retirement community, prison, jail, homeless shelter, boarding
26 school, long-term rental or worker housing.

27 “(b) ‘Lodging unit’ means one self-contained unit of a lodging establish-
28 ment.

29 “(c) ‘Personal health or beauty product’ means:

30 “(A) Shampoo, hair conditioner, soap, body wash, shower gel or any other

1 product that is intended to serve the same function as soap and is intended
2 to be applied to or used on the human body;

3 “(B) Lotion; or

4 “(C) Hand sanitizer.

5 “(d) ‘Small plastic personal health or beauty product container’ means a
6 plastic bottle, tube, sachet or other plastic container with less than a six-
7 ounce capacity that is not intended to be reusable by the end user and that
8 contains a personal health or beauty product.

9 “(2) Except upon request, a lodging establishment may not provide for the
10 use of any person a personal health or beauty product in a small plastic
11 personal health or beauty product container, a plastic wrapper or any other
12 single-use plastic packaging.

13 “(3) Nothing in this section:

14 “(a) Restricts the use of plastic refillable containers for bulk personal
15 health or beauty products.

16 “(b) Restricts the use of single-use personal health or beauty product
17 containers, wrappers, or packaging that are not made with plastic.

18 “(c) Requires the use of refillable bulk personal health or beauty product
19 dispensers.

20 “(4) The Oregon Health Authority may adopt rules as necessary to im-
21 plement this section.

22 **“SECTION 11. The amendments to section 8 of this 2025 Act by
23 section 10 of this 2025 Act become operative on January 1, 2028.**

24 **“SECTION 12. The unit captions used in this 2025 Act are provided
25 only for the convenience of the reader and do not become part of the
26 statutory law of this state or express any legislative intent in the
27 enactment of this 2025 Act.”.**

28