

2020 -- S 2794

LC005273

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2020

A N A C T

RELATING TO FOOD AND DRUGS - SINGLE-USE PLASTIC STRAWS

Introduced By: Senators McCaffrey, Sosnowski, Miller, DiPalma, and Euer

Date Introduced: March 12, 2020

Referred To: Senate Environment & Agriculture

It is enacted by the General Assembly as follows:

1 SECTION 1. Title 21 of the General Laws entitled "FOOD AND DRUGS" is hereby
2 amended by adding thereto the following chapter:

3 CHAPTER 27.2

4 SINGLE-USE PLASTIC STRAWS

5 **21-27.2-1. Definitions.**

6 As used in this chapter:

7 (1) "Food service establishment" shall have the meaning set forth in § 21-27-1.

8 (2) "Single-use plastic straw" means a single-use, disposable tube made predominantly of
9 plastic derived from either petroleum or a biologically based polymer, such as corn or other plant
10 sources, used to transfer a beverage from a container to the mouth of the person drinking the
11 beverage. "Single-use plastic straw" does not include a straw made from non-plastic materials,
12 including, but not limited to, paper, pasta, sugar cane, wood, or bamboo.

13 **21-27.2-2. Prohibited practices exception.**

14 A food service establishment shall not provide a single-use plastic straw to a consumer
15 unless requested by the consumer or selected by the consumer from a self-service dispenser.

16 **21-27.2-3. Penalties.**

17 The first and second violation of this chapter shall result in a notice of violation, and any
18 subsequent violation shall be punishable by a fine of twenty-five dollars (\$25.00) for each violation
19 by the service establishment, but not to exceed three hundred dollars (\$300) annually.

1 **21-27.2-4. Enforcement.**

2 The director of health shall promulgate and adopt such rules and regulations as may be
3 necessary to enforce the provisions of this chapter.

4 **21-27.2-5. Preemption.**

5 The regulation of single-use plastic straws within food-service establishments is preempted
6 to the state. Nothing in this chapter shall be construed to abrogate or affect the provisions of any
7 lawful ordinance, regulation, or resolution adopted prior to the effective date of this chapter.

8 SECTION 2. This act shall take effect on November 1, 2020.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T

RELATING TO FOOD AND DRUGS - SINGLE-USE PLASTIC STRAWS

1 This act would prohibit a food service establishment from providing a consumer with a
2 single-use plastic straw, unless the straw is from a self-service dispenser or the consumer requests
3 such a straw. The first and second violation of this statute would result in a notice of violation, and
4 any subsequent violations would be punishable by a fine of twenty-five dollars (\$25.00), not to
5 exceed three hundred dollars (\$300) annually.

6 This act would take effect on November 1, 2020.

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