

SB 90 B STAFF MEASURE SUMMARY
House Committee On Energy and Environment

Carrier: Rep. Sollman

Action Date: 05/14/19
Action: Do pass with amendments to the A-Eng bill. (Printed B-Eng.)
Vote: 7-2-0-0
Yeas: 7 - Helm, Salinas, Schouten, Sollman, Wilde, Williams, Zika
Nays: 2 - Findley, Reschke
Fiscal: Has minimal fiscal impact
Revenue: No revenue impact
Prepared By: Misty Freeman, LPRO Analyst
Meeting Dates: 4/25, 5/14

WHAT THE MEASURE DOES:

Prohibits a food and beverage provider or a convenience store from providing a single-use plastic straw to a consumer unless specifically requested by the consumer. Defines "single-use plastic straw" and exempts from the prohibition: a straw made from materials other than plastic, including paper, pasta, sugar cane, wood, or bamboo; straws attached to or packaged with a beverage container; straws offered for sale in bulk or unconnected with provision of food or beverage; and straws provided in connection with delivery of food or beverage to a consumer in a vehicle. Allows, in certain circumstances, a convenience store to make single-use plastic straws available in an unattended location. Clarifies that the definition of "food and beverage provider" does not include a health care facility or a residential care facility that provides single-use plastic straws to patients or residents. Authorizes an enforcement officer from Oregon Department of Agriculture, Oregon Health Authority, or a local government to enforce provisions of this Act, issue a notice for first and second violations, and impose a fine of up to \$25 per day for further violations, up to \$300 per calendar year. Prohibits a local government from enacting a local ordinance that differs from the provisions in this Act after the effective date of the Act. Makes effective on January 1, 2020 the prohibition from providing a single-use plastic straw unless requested by a consumer. Declares emergency, effective on passage.

ISSUES DISCUSSED:

- Act would change single-use straws provided automatically at restaurants and convenience stores to straws provided at customer request
- Act would not prohibit straws sold in bulk at grocery stores and straws packaged with juice boxes
- City of Portland policy to reduce single-use plastics
- Exception for individuals with disabilities or who are not physically able to request a straw

EFFECT OF AMENDMENT:

Clarifies that the definition of "food and beverage provider" does not include a health care facility or a residential care facility that provides single-use plastic straws to patients or residents.

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 serveware, including plastic straws unless requested by a customer. Some companies are also working 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.

SB 90 B STAFF MEASURE SUMMARY

Senate Bill 90 B would prohibit a food and beverage provider or a convenience store from providing single-use plastic straws unless requested by the consumer. The Act would authorize an enforcement officer to impose a fine of up to \$25 per day after a second violation, up to \$300 in a calendar year for each food and beverage provider or convenience store.