

Senate Bill 90

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SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Prohibits restaurant from providing single-use plastic straw to consumer unless consumer requests straw.

Provides that State Department of Agriculture shall enforce prohibition in course of inspecting food establishments. Provides that after second instance of violation, department may impose fine of not more than \$25 for each day in which restaurant remains in violation of prohibition. Caps total fines at \$300 per restaurant during each calendar year.

A BILL FOR AN ACT

1
2 Relating to a restriction on restaurants providing single-use plastic straws to consumers.

3 **Be It Enacted by the People of the State of Oregon:**

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

5 (a) **“Consumer” means an individual who orders a beverage of any description in a res-**
6 **taurant in this state.**

7 (b) **“Restaurant” means a business establishment that, for compensation, offers food or**
8 **beverages to members of the public and serves food or beverages to consumers.**

9 (c)(A) **“Single-use plastic straw” means a tube made primarily from plastic that is de-**
10 **derived from petroleum or a biologically based polymer, such as corn or another plant source,**
11 **and that is intended:**

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

13 (ii) **For a single use; and**

14 (iii) **For disposal after the single use.**

15 (B) **“Single-use plastic straw” does not include a straw made from other materials, in-**
16 **cluding but not limited to paper, pasta, sugar cane, wood or bamboo.**

17 (2) **A restaurant may not provide a single-use plastic straw to a consumer unless the**
18 **consumer specifically requests the single-use plastic straw.**

19 (3) **The State Department of Agriculture or a representative of the department may en-**
20 **force subsection (2) of this section in the course of conducting an inspection of a restaurant**
21 **under ORS 616.286. A restaurant that violates subsection (2) of this section is subject to a**
22 **notice for a first and second violation and, for subsequent violations, to a fine of not more**
23 **than \$25 for each day in which the restaurant remains in violation of subsection (2) of this**
24 **section. The department may not impose total fines of more than \$300 during a calendar year**
25 **for a restaurant’s violation of subsection (2) of this section.**

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NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.