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LC001128/SUB A/3

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2019

AN ACT

RELATING TO FOOD AND DRUGS - SINGLE-USE PLASTIC STRAWS

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

Date Introduced: January 31, 2019

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	<u>21-27.2-3. Penalties.</u>
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 by the service establishment, but not to exceed three hundred dollars (\$300) annually.

1	<u>21-27.2-4. Enforcement.</u>
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
6	preempted to the state. Nothing in this chapter shall be construed to abrogate or affect the
7	provisions of any lawful ordinance, regulation, or resolution adopted prior to the effective date of
8	this chapter.
9	SECTION 2. This act shall take effect on November 1, 2019.
	LC001128/SUB A/3

EXPLANATION

BY THE LEGISLATIVE COUNCIL

OF

AN ACT

RELATING TO FOOD AND DRUGS - SINGLE-USE PLASTIC STRAWS

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

This act would take effect on November 1, 2019.

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