

# D R A F T

## SUMMARY

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  
3 to consumers.

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

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

6 (a) **“Consumer” means an individual who orders a beverage of any**  
7 **description in a restaurant in this state.**

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

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

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

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

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

17 (B) **“Single-use plastic straw” does not include a straw made from**  
18 **other materials, including but not limited to paper, pasta, sugar cane,**

1 **wood or bamboo.**

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

5 **(3) The State Department of Agriculture or a representative of the**  
6 **department may enforce subsection (2) of this section in the course**  
7 **of conducting an inspection of a restaurant under ORS 616.286. A res-**  
8 **taurant that violates subsection (2) of this section is subject to a no-**  
9 **tice for a first and second violation and, for subsequent violations, to**  
10 **a fine of not more than \$25 for each day in which the restaurant re-**  
11 **mains in violation of subsection (2) of this section. The department**  
12 **may not impose total fines of more than \$300 during a calendar year**  
13 **for a restaurant's violation of subsection (2) of this section.**

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