

SENATE No. 2450

The Commonwealth of Massachusetts

In the One Hundred and Ninety-First General Court
(2019-2020)

Senate, December 30, 2019

The committee on Environment, Natural Resources and Agriculture, to whom was referred the petitions (accompanied by bill, Senate, No. 429) of Michael J. Barrett and Jason M. Lewis for legislation to reduce disposable plastic straw waste; (accompanied by bill, House, No. 857) of David M. Rogers and others relative to restricting distribution of single-use plastic straws; and (accompanied by bill, House, No. 4084) of Keely O'Gorman relative to the use and distribution of single-use plastic straws,- reports the accompanying bill (Senate, No. 2450).

For the committee,
Anne M.Gobi

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An Act to reduce disposable plastic straw waste.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Chapter 140 of the General Laws, as appearing in the 2016 Official Edition,
2 is hereby amended by inserting after section 6B, the following section:-

3 Section 6C: (a) As used in this section, the following terms shall have the following
4 meanings:

5 “Biodegradable materials”, materials that can be fully decomposed by bacteria or other
6 living organisms without causing harm to the environment.

7 “Consumer”, a person receiving food or beverages from a food service establishment.

8 “Department”, the department of environmental protection.

9 “Food service establishment”, an operation that stores, prepares, serves, vends, or
10 otherwise provides food for human consumption, including but not limited to full-service
11 restaurants, food trucks, self-service food establishments, convenience stores, and fast-food
12 establishments.

13 “Reusable Straw”, a tube used to transfer a beverage from a container to the mouth of the
14 person drinking the beverage, made of materials that can be adequately sanitized for consumer
15 reuse, including, but not limited to, stainless steel, glass, acrylic, and silicone.

16 “Single-use plastic straw”, a single-use, disposable tube made predominantly of plastic
17 derived from petroleum-based polymers or non-biodegradable biological polymers used to
18 transfer a beverage from a container to the mouth of the person drinking the beverage. A single-
19 use plastic straw does not include (i) a reusable drinking straw or (ii) a straw made of non-plastic
20 or biodegradable materials including, but not limited to, paper, pasta, sugar cane, wood, or
21 bamboo.

22 (b) A food service establishment shall not provide a single-use plastic straw to a customer
23 unless requested by the customer.

24 (c) The department shall promulgate regulations with regard to the enforcement of this
25 chapter.

26 SECTION 2. Section 1 shall take effect 1 year after passage of this act.