

HOUSE No. 4084

The Commonwealth of Massachusetts

PRESENTED BY:

Smitty Pignatelli, (BY REQUEST)

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act to restrict, reduce, and minimize the use and distribution of single-use plastic straws in Massachusetts.

PETITION OF:

NAME:

Keely O'Gorman

DISTRICT/ADDRESS:

555 Devon Road Lee, MA 01238

HOUSE No. 4084

By Mr. Pignatelli of Lee (by request), a petition (subject to Joint Rule 12) of Keely O'Gorman relative to the use and distribution of single-use plastic straws. Consumer Protection and Professional Licensure.

The Commonwealth of Massachusetts

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

An Act to restrict, reduce, and minimize the use and distribution of single-use plastic straws in Massachusetts.

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: As used in this section the following terms are here by defined:

2 "Single-Use Plastic Straws" - A single-use plastic drinking straw made predominantly
3 from non-biodegradable petroleum-based chemicals or biologically-based polymers. These
4 chemicals include BPA (Bisphenol A) and phthalates where evidence indicates that chemicals
5 can leach into liquids and disrupt endocrine processes. This does not include non-plastic or
6 biodegradable materials such as, but not limited to, paper, pasta, sugar cane, wood, or bamboo.

7 "Food Establishment" - An operation that stores, prepares, serves, vends, or otherwise
8 provides food or drink for human consumption. Food establishments can be in either a
9 permanent, mobile, or temporary location and refer to any establishment requiring a permit to
10 operate in accordance with the 1999 FDA Food Code or 105 CMR 59.000. Permanent food
11 establishments include full-service restaurants, self-service, institutional cafeterias, fast-food

12 restaurants, food courts, and kiosks. Mobile food establishments include food trucks. Temporary
13 food establishments include fairs, carnivals, civic events, restaurant food shows, fundraisers,
14 races, parades, and holiday celebrations.

15 “Reusable Straws” - A drinking straw that can be adequately sanitized for consumer
16 reuse. These include, but are not limited to, stainless steel, glass, acrylic, and silicone.

17 “Biodegradable Material” - Materials that can be fully decomposed by bacteria or other
18 living organisms without causing harm to the environment. For example, substances that fully
19 degrade into carbon dioxide, water, and/or other naturally occurring minerals.

20 SECTION 2: A food service establishment must not provide single-use plastic straws
21 unless specifically requested by a customer.

22 SECTION 3: The provisions of this section may be enforced by the relevant licensing
23 authority.