HB 558-FN - AS AMENDED BY THE HOUSE

2019 SESSION

19Mar2019... 0941h
19-0462
06/08

HOUSE BILL 558-FN

AN ACT restricting the distribution of plastic straws.


COMMITTEE: Commerce and Consumer Affairs

_________________________________________________________

ANALYSIS

This bill prohibits food service businesses from providing a single-use plastic straw to a customer unless specifically requested.

Explanation: Matter added to current law appears in bold italics.
Matter removed from current law appears [in brackets and struckthrough.]
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.
HB 558-FN - AS AMENDED BY THE HOUSE

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Nineteen

AN ACT restricting the distribution of plastic straws.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 Purpose; Solid Waste Management Methods. In accordance with RSA 149-M:2 and RSA 149-M:3, which establishes source reduction as the waste management method with the highest priority in the hierarchy of solid waste management methods to be used by the department of environmental services, the distribution of single-use plastic straws in New Hampshire shall be restricted in accordance with this subdivision.

2 New Subdivision; Prohibition of Single-Use Plastic Straws. Amend RSA 149-M by inserting after section 60 the following new subdivision:

Prohibition of Single-Use Plastic Straws

149-M:61 Definitions. In this subdivision:

I. "Single-use plastic straw" means a single-use, disposable tube made predominantly of plastic derived from either petroleum or a biologically based polymer, such as corn or other plant sources, used to transfer a beverage from a container to the mouth of a person drinking the beverage. "Single-use plastic straw" does not include a straw made from a non-plastic material, including, but not limited to, paper, pasta, sugar cane, wood, or bamboo.

II. "Food service business" means a business that sells or provides food for consumption on or off the premises, and includes, but is not limited to, any restaurant, cafe, delicatessen, coffee shop, supermarket or grocery store, vending truck or cart, food truck, movie theater, or business or institutional cafeteria, including those operated by or on behalf of the state. "Food service business" shall not include any health care facility required to be licensed under RSA 151:2.

149-M:62 Plastic Straw Restriction. A food service business shall provide a single-use plastic straw to a customer only when explicitly requested by the customer.

3 Effective Date. This act shall take effect one year after its passage.
AN ACT restricting the distribution of plastic straws.

FISCAL IMPACT: [ X ] State [ ] County [ ] Local [ ] None

<table>
<thead>
<tr>
<th>STATE:</th>
<th>Estimated Increase / (Decrease)</th>
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<tbody>
<tr>
<td></td>
<td>FY 2020</td>
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<tr>
<td>Appropriation</td>
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<tr>
<td>Revenue</td>
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Funding Source: [ X ] General [ ] Education [ ] Highway [ ] Other

METHODOLOGY:

This bill prohibits food service businesses from providing a single-use plastic straw to a customer unless specifically requested.

The Department of Environmental Services indicates, while the bill as amended removes the paragraphs concerning enforcement and rulemaking, the Department assumes it would incur costs related to its responsibilities under RSA 149-M, the Solid Waste Management Chapter. The responsibilities in RSA 149-M:6 include enforcement, investigation, the provision of technical assistance to citizens, towns and districts, and any other activity for the purpose of administering the chapter. The Department assumes this work would require an additional staff person staff equivalent to 0.5 FTE. The estimated cost for one half of a full-time Program Specialist at labor grade 23 is $46,500 in FY 2021, $47,500 in FY 2022, and $49,500 in FY 2023.

The bill as amended would not impact county or local revenue and expenditures.

This bill does not appropriate funds or establish new positions.

AGENCIES CONTACTED:

Department of Environmental Services