

HOUSE BILL 296

M3, C2
HB 134/19 – ECM & ENT

0lr1217

By: **Delegates Love, C. Watson, Charkoudian, W. Fisher, Fraser–Hidalgo, Guyton, Kerr, Palakovich Carr, Shetty, Solomon, and Stewart**

Introduced and read first time: January 20, 2020

Assigned to: Economic Matters and Environment and Transportation

A BILL ENTITLED

1 AN ACT concerning

2 **Environment – Single–Use Plastic Straws – Use in a Food Service Business**

3 FOR the purpose of prohibiting, beginning on a certain date, a food service business from
4 providing a single–use plastic straw to a certain customer unless the customer
5 requests a straw; defining a certain term; providing for the application of this Act;
6 and generally relating to the use of single–use plastic straws.

7 BY adding to

8 Article – Environment

9 New part designation “Part I. Labeling of Biodegradable and Compostable Plastic
10 Products” to immediately precede Section 9–2101; and Section 9–2108 and
11 9–2109 to be under the new part “Part II. Plastic Straws”

12 Annotated Code of Maryland

13 (2014 Replacement Volume and 2019 Supplement)

14 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
15 That the new part designation “Part I. Labeling of Biodegradable and Compostable Plastic
16 Products” be added to immediately precede Section 9–2101 of Article – Environment of the
17 Annotated Code of Maryland.

18 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read
19 as follows:

20 **Article – Environment**

21 **9–2106. RESERVED.**

22 **9–2107. RESERVED.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **PART II. PLASTIC STRAWS.**2 **9-2108.**

3 (A) IN THIS PART, "FOOD SERVICE BUSINESS" MEANS A BUSINESS IN THE
4 STATE THAT SELLS OR PROVIDES FOOD AND BEVERAGES OR BEVERAGES ONLY FOR
5 CONSUMPTION ON OR OFF THE PREMISES.

6 (B) "FOOD SERVICE BUSINESS" INCLUDES A BUSINESS OR INSTITUTIONAL
7 CAFETERIA, INCLUDING A CAFETERIA OPERATED BY OR ON BEHALF OF THE STATE
8 OR A LOCAL GOVERNMENT.

9 **9-2109.**

10 (A) THIS SECTION DOES NOT APPLY TO:

11 (1) BEVERAGES THAT ARE PROVIDED BY A FOOD SERVICE BUSINESS
12 AT A DRIVE-THROUGH WINDOW;

13 (2) PREPACKAGED BEVERAGE PRODUCTS AVAILABLE AT A FOOD
14 SERVICE BUSINESS; OR

15 (3) BEVERAGES THAT A CUSTOMER AT A FOOD SERVICE BUSINESS
16 SERVES THEMSELVES, INCLUDING BEVERAGES FROM SELF-SERVICE
17 REFRIGERATED COOLERS AND BEVERAGE DISPENSERS.

18 (B) BEGINNING JANUARY 1, 2021, A FOOD SERVICE BUSINESS MAY NOT
19 PROVIDE A SINGLE-USE PLASTIC STRAW TO A CUSTOMER DINING IN THE FOOD
20 SERVICE BUSINESS UNLESS THE CUSTOMER REQUESTS A STRAW.

21 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
22 October 1, 2020.