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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-FIRST SESSION

H. F. No. 3338

- 02/17/2020 Authored by Mann, Jordan, Acomb, Moran, Fischer and others
- 03/02/2020 The bill was read for the first time and referred to the Committee on Commerce
- 04/14/2020 By motion, recalled and re-referred to the Committee on Environment and Natural Resources Policy
- Adoption of Report: Amended and re-referred to the Committee on Commerce

1.1 A bill for an act

1.2 relating to plastic straws; prohibiting providing plastic straws to customers unless

1.3 requested; proposing coding for new law in Minnesota Statutes, chapter 325E.

1.4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.5 Section 1. **325E.048** PROVIDING PLASTIC STRAWS; PROHIBITION.

1.6 Subdivision 1. Definitions. (a) For purposes of this section, the following terms have

1.7 the meanings given them.

1.8 (b) "Food and beverage service establishment" has the meaning given in section 157.15,

1.9 subdivision 5.

1.10 (c) "Plastic straw" means a disposable tube made primarily of plastic derived from

1.11 petroleum or from a biologically-based polymer, including corn or other plant sources, that

1.12 is used to transfer a beverage from a container to the mouth of the person drinking the

1.13 beverage.

1.14 (d) "Single-use" means an object that is designed to be disposed of after a single use.

1.15 Subd. 2. Prohibition. A food and beverage service establishment must not provide or

1.16 sell a single-use plastic straw to a person unless requested to do so by the person.

1.17 Subd. 3. Enforcement; civil penalty; injunctive relief. (a) A food and beverage service

1.18 establishment will receive no penalty for its initial violation of subdivision 2, but is subject

1.19 to a civil penalty of \$50 for each subsequent violation of subdivision 2 up to a maximum

1.20 of \$500, and may be enjoined from those violations.

2.1 (b) The attorney general may bring an action in the name of the state in a court of
2.2 competent jurisdiction for recovery of civil penalties or for injunctive relief as provided in
2.3 this subdivision. The attorney general may accept an assurance of discontinuance of acts
2.4 in violation of subdivision 2 in the manner provided in section 8.31, subdivision 2b.

2.5 **EFFECTIVE DATE.** This section is effective September 1, 2020.