SENATE
STATE OF MINNESOTA
NINETY-THIRD SESSION

S.F. No. 2791

(SENATE AUTHORS: MORRISON)

DATE	D-PG	OFFICIAL STATUS
03/09/2023	1478	Introduction and first reading
		Referred to Commerce and Consumer Protection

1.1   A bill for an act

1.2   relating to commerce; prohibiting sale of water in plastic containers; proposing
1.3   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.047] BOTTLED WATER; PROHIBITING SALE.**

1.6   Subdivision 1. **Prohibition.** A manufacturer, wholesaler, or retailer is prohibited from

1.7   selling or offering for sale bottled water in Minnesota.

1.8   Subd. 2. **Definitions.** (a) For purposes of this section, the terms in this subdivision have

1.9   the meanings given them.

1.10   (b) "Bottled water" means water contained in a formed or molded container that:

1.11   (1) is comprised primarily of plastic resin;

1.12   (2) is sealed; and

1.13   (3) holds less than two liters when full.

1.14   (c) "Water" means any of the following if intended for human consumption: natural

1.15   spring or well water; water from municipal or private utility systems or other sources,

1.16   excluding distilled, deionized, or mineral water; carbonated, sparkling, or tonic water; or

1.17   water to which flavoring is added. Water does not include products that are not marketed

1.18   as water.

1.19   Subd. 3. **Enforcement; civil penalty; injunctive relief.** (a) A manufacturer, wholesaler,

1.20   or retailer that violates subdivision 1 is subject to a civil penalty of $50 for each prepackaged

2.1   saleable unit offered for sale, up to a maximum penalty of $500, and may be enjoined from

2.2   the violations.

2.3   (b) The attorney general may bring an action in the name of the state in a court of

2.4   competent jurisdiction to recover civil penalties or for injunctive relief as provided in this

2.5   subdivision. The attorney general may accept an assurance of discontinuance of acts in

2.6   violation of subdivision 1 in the manner provided in section 8.31, subdivision 2b.

2.7   **EFFECTIVE DATE.** This section is effective January 1, 2024.