S-0477.1

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**SENATE BILL 5077**

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**State of Washington 66th Legislature 2019 Regular Session**

**By** Senators Kuderer, Darneille, Palumbo, Hunt, and Pedersen

AN ACT Relating to prohibiting single-use plastic straws; adding a new chapter to Title 70 RCW; and prescribing penalties.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

NEW SECTION. **Sec.**  (1) Beginning July 1, 2020, the sale and distribution of plastic beverage straws is prohibited. No person may sell or distribute plastic beverage straws within the state of Washington.

(2) For the purposes of this chapter, "plastic beverage straw" means a tube made predominantly of plastic derived from either petroleum or a biologically based polymer, such as corn or other plant sources, and including compostable and biodegradable petroleum or biologically based polymer straws, for transferring a beverage from its container to the mouth of the drinker.

NEW SECTION. **Sec.**  The department of health and the department of social and health services must consult with community health groups, advocates for persons with disabilities, and other stakeholders to determine how to address health care facilities and individuals with disabilities need for plastic straws. By December 31, 2019, the department of health and the department of social and health services must provide recommendations to the appropriate committees of the legislature to support the prohibition of plastic straws and to assist in the transition to accommodate health care needs and individuals with disabilities and to ensure any unintended consequences are addressed.

NEW SECTION. **Sec.**  (1) The local health jurisdiction organized under chapter 70.05 RCW, a jurisdictional health department, a combined city and county health department organized under chapter 70.08 RCW, or a health district organized under chapter 70.46 RCW, must enforce this chapter.

(a) The local health jurisdiction organized under chapter 70.05 RCW, a jurisdictional health department, a combined city and county health department organized under chapter 70.08 RCW, or a health district organized under chapter 70.46 RCW, must provide notice of violation to any person for the first and second violation of section 1 of this act.

(b) For the third and subsequent violations of section 1 of this act, a person is subject to a civil penalty of twenty-five dollars for each day not to exceed three hundred dollars per year.

(2) Penalties collected under this section may be retained by the local health jurisdiction or jurisdictional health department for enforcement activities.

NEW SECTION. **Sec.**  Sections 1 through 3 of this act constitute a new chapter in Title 70 RCW.

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