

SENATE No. 494

The Commonwealth of Massachusetts

PRESENTED BY:

Michael J. Barrett

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act to combat disposable plastic straw waste.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Michael J. Barrett</i>	<i>Third Middlesex</i>	
<i>Michelle L. Ciccolo</i>	<i>15th Middlesex</i>	<i>2/26/2021</i>
<i>Joanne M. Comerford</i>	<i>Hampshire, Franklin and Worcester</i>	<i>3/19/2021</i>
<i>Kay Khan</i>	<i>11th Middlesex</i>	<i>9/10/2021</i>

SENATE No. 494

By Mr. Barrett, a petition (accompanied by bill, Senate, No. 494) of Michael J. Barrett, Michelle L. Ciccolo and Joanne M. Comerford for legislation to reduce disposable plastic straw waste. Environment, Natural Resources and Agriculture.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. 429 OF 2019-2020.]

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Second General Court
(2021-2022)**

An Act to combat disposable plastic straw waste.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Chapter 140 of the General Laws, as appearing in the 2018 Official Edition,
2 is hereby amended by inserting after section 6B, the following section:-

3 Section 6C: (a) As used in this section, the following terms shall have the following
4 meanings:

5 “Biodegradable materials”, compostable materials such as wood, paper, bagasse, or other
6 cellulose fiber composite. Materials composed of biologically based polymers that do not
7 reliably biodegrade in aquatic environments are not considered biodegradable.

8 “Consumer”, a person receiving food or beverages from a food service establishment.

9 “Department”, the Department of Environmental Protection.

10 “Food service establishment”, an operation that stores, prepares, serves, vends, or
11 otherwise provides food for human consumption. Food service establishments include without
12 limitations full-service restaurants, food trucks, self-service food establishments, and fast-food
13 establishments.

14 “Single-use plastic straw”, a single-use, disposable drinking straw made of plastic
15 derived from petroleum-based polymers or non-biodegradable biological polymer. A single-use
16 plastic straw does not include reusable drinking straws or straws made from biodegradable
17 material.

18 “Reusable straw”, a drinking straw that can be appropriately cleaned and sanitized for
19 customer reuse.

20 (b) A food service establishment may not provide a single-use plastic straw unless
21 requested by a consumer or selected by the consumer from a self-service dispenser.

22 (c) The department shall promulgate regulations with regard to the enforcement of this
23 chapter.

24 SECTION 2. This act shall go into effect on January 2, 2023.