

By: Senator(s) Simmons (12th)

To: Agriculture

SENATE BILL NO. 2071

1 AN ACT TO DEFINE THE TERMS "SINGLE-USE PLASTIC STRAW" AND  
2 "FOOD ESTABLISHMENT"; TO PROHIBIT A FOOD ESTABLISHMENT FROM  
3 PROVIDING A SINGLE-USE PLASTIC STRAW TO A CONSUMER UNLESS  
4 REQUESTED BY THE CONSUMER; AND FOR RELATED PURPOSES.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

6 **SECTION 1.** The following words and phrases shall have the  
7 meanings as defined in this section unless the context clearly  
8 indicates otherwise:

9 (a) "Single-use plastic straw" means a single-use,  
10 disposable tube made predominately of plastic derived from wither  
11 petroleum or a biologically based polymer, such as corn or other  
12 plant sources, used to transfer a beverage from a container to the  
13 mouth of the person drinking the beverage. "Single-use plastic  
14 straw" does not include a straw made from nonplastic materials,  
15 including, but not limited to, paper, pasta, sugar cane, wood or  
16 bamboo.

17 (b) "Food establishment" means all sales outlets,  
18 stores, shops or other places of business located within the State  
19 of Mississippi that operate primarily to sell or convey food



20 directly to the ultimate consumer, including any place where food  
21 is prepared, mixed, cooked, baked, smoked, preserved, bottled,  
22 packaged, handled, stored, manufactured and sold or offered for  
23 sale, including, but not limited to, any fixed or mobile  
24 restaurant, drive-in, coffee shop, cafeteria, short order cafe,  
25 delicatessen, luncheonette, grill, sandwich shop, soda fountain,  
26 tavern, bar, cocktail lounge, nightclub, roadside stand, prepared  
27 food take-out place, catering kitchen, commissary, grocery store,  
28 public food market, food stand or similar place in which food or  
29 drink is prepared for sale or for service on the premises or  
30 elsewhere, and any other establishment or operation where food is  
31 processed, prepared, stored, served or provided for the public for  
32 charge.

33        **SECTION 2.** (1) A food establishment shall not provide a  
34 single-use plastic straw to a consumer unless requested by the  
35 consumer.

36        (2) This section shall be enforced by the State Department  
37 of Health. For a first or second violation of subsection (1),  
38 the department shall issue a notice of violation to the food  
39 establishment. Any subsequent violation shall constitute an  
40 infraction punishable by a civil fine of Twenty-five Dollars  
41 (\$25.00) for each day that the food establishment is in violation,  
42 but not to exceed Three Hundred Dollars (\$300.00) annually. The  
43 civil fine shall be assessed and collected by the department.



44           **SECTION 3.** This act shall take effect and be in force from  
45 and after July 1, 2021.

