

California legislation would jail anyone providing unrequested straws

California legislator and Majority Leader Ian Calderon has **filed legislation** that would jail waiters and other restaurant staff for up to six months for providing single-use plastic straws to consumers that don't request them. The bill reads as follows:

AB 1884, as introduced, Calderon. Food facilities: single-use plastic straws.

Existing law, the California Retail Food Code, establishes uniform health and sanitation standards for, and provides for regulation by the State Department of Public Health of, retail food facilities, as defined, and requires local health agencies to enforce these provisions. Existing law requires, except as otherwise provided, a person who violates any provision of the code to be guilty of a misdemeanor with each offense punishable by a fine of not less than \$25 or more than \$1,000, or by imprisonment in the county jail for a term not exceeding 6 months, or by both.

This bill would prohibit a food facility, as specified, where food may be consumed on the premises from providing single-use plastic straws to consumers unless requested by the consumer. By creating a new crime and imposing additional enforcement duties on local health agencies, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that with regard to certain mandates no reimbursement is required by this act for a specified reason.

With regard to any other mandates, this bill would provide that, if the Commission on State Mandates determines that the bill contains costs so mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.