

HB 25 -- Redline

HB 25 to Enrolled -- An Act relating to disposable food service ware and containers provided by customers; and providing for an effective date.

Deletions ~~struck~~ · Insertions underlined

34-LS0256\A LAWS HOUSE OF BILL ALASKA NO. Source Chapter No.

25 SCS INCSHB THE 25 (L&C) LEGISLATURE OF AN THE ACT STATE Relating OF to ALASKA disposable THIRTY-FOURTH food LEGISLATURE service ware SECOND and SESSION containers BY provided REPRESENTATIVES by JOSEPHSON, customers; Hall, Burke, Hannan, Story, Mina, Carrick, Foster, Fields, Jimmie, Galvin Introduced:

1/22/25 and Referred: providing for an effective date.

State Affairs, BE Labor IT and ENACTED Commerce BY A THE BILL LEGISLATURE FOR OF AN THE ACT STATE ENTITLED OF "An ALASKA: Act relating to disposable food service ware;

and THE providing ACT for FOLLOWS an ON effective PAGE date." 1 BE Enrolled IT HB ENACTED 25 BY AN THE ACT LEGISLATURE Relating OF to THE disposable STATE food OF service ALASKA: ware and containers provided by customers;

* and Section providing 1. for an effective date.

* Section 1.

(a) Except as provided in ~~(e)~~ (d) and ~~(f)~~ (g) of this section, a restaurant may not provide prepared food in polystyrene foam disposable food service ware.

(c) ~~A~~ The restaurant department shall recommend that ~~uses a disposable~~ restaurant reuse food service ware shall in use place biodegradable or compostable disposable food service ware, ~~ware, unless the restaurant has received an exemption under (f) of this section.~~

(d) The department shall ~~may~~ recommend adopt regulations that allow a restaurant reuse to food provide service prepared ware food in place a of clean disposable container food provided service by ware, a customer of the restaurant.

~~(e)~~ The restriction regulations or must use establish of procedures polystyrene foam disposable food service ware under (a) of this section does not apply to HB0025 prevent ~~-1 cross-contamination.~~ HB 25 New Text Underlined [DELETED TEXT BRACKETED] 34-LS0256\A (1) prepared food prepared or packaged outside the state;

~~(2)~~ 1- Enrolled HB 25 (e) The restriction on use of polystyrene foam ~~coolers disposable and food ice service chests ware intended under for (a) reuse;~~ of this section does not apply to (1) prepared food prepared or packaged outside the state;

~~(3)~~ (2) an area affected by a disaster emergency for the duration of the disaster emergency.

The department may grant an exemption to the restaurant for a particular product or type of disposable food service ware if the restaurant demonstrates to the department that (1) an affordable biodegradable or compostable product is not available to replace a polystyrene foam product;

or (2) applying the requirements of this section to the particular product or type of disposable food service ware would cause undue financial and logistical hardship to the restaurant.

(g) In ~~A~~ this municipality section, may (1) by "biodegradable ordinance or allow compostable" a means restaurant that all of the elements completely break down and return to nature provide or prepared decompose food into elements found in nature polystyrene within foam a disposable reasonably food short service period ware, after customary disposal;

~~(2)~~ This "disaster section emergency" does not apply to a restaurant in a municipality that has the adopted meaning an given ordinance allowing a restaurant to provide prepared food in AS polystyrene 26.23.900; foam disposable food service ware.

~~(3)~~ (h) "disposable In food this service section, ware" (1) means "disaster a emergency" container, has bowl, the plate, meaning tray, given carton, cup, lid, or other item designated for one-time use in which AS a 26.23.900; restaurant or customer places or packages prepared food so that the food may be taken from the restaurant for consumption;

~~(4)~~ (2) "polystyrene" disposable foam "food service ware" means Styrofoam, a blown container, polystyrene, bowl, or plate, a tray, expanded carton, foam cup, that lid, is or made other of item thermoplastic designated petrochemical for materials one-time use use in which a styrene restaurant monomer or and customer processed places by or fusion packages of prepared polymer food spheres, so injection that molding, the foam food molding, may extrusion blow be molding, taken or from other the techniques; restaurant for consumption;

~~(5)~~ (3) "restaurant" "polystyrene includes foam" a means place Styrofoam, maintained blown for polystyrene, the or sale an and expanded on foam premise that consumption is made of food thermoplastic and petrochemical materials using a street styrene vendor monomer who and sells processed food by prepared fusion for of immediate polymer consumption spheres, injection molding, foam molding, extrusion blow molding, or other

techniques;

(4) "restaurant" includes a coffee kiosk, a grocery deli, a hospital or school food operation, a caterer, a concession, a food hybrid service business, a place maintained for the sale and on-premises consumption of food, and a street vendor who Enrolled HB 25 -2- sells food prepared for immediate consumption.

ThisThe Actuncodified takeslaw effectof Januarythe 1,State 2026,of Alaska is amended by adding a new section to read:

HBTRANSITION: -25 -2- HB0025a New Text Underlined [DELETED TEXT BRACKETED]

POLYSTYRENE PRODUCTS.

(a) Notwithstanding AS 17.20.035, enacted by sec.

1 of this Act, a restaurant may provide prepared food in polystyrene foam disposable food service ware after the effective date of this Act if the restaurant obtained the polystyrene foam disposable food service ware before the effective date of this Act.

(b) Notwithstanding AS 17.20.035, enacted by sec.

1 of this Act, the state may use polystyrene foam disposable food service ware after the effective date of this Act if the state purchased the polystyrene foam disposable food service ware before the effective date of this Act.

* Sec.

3.

This Act takes effect January 1, 2027.

-3- Enrolled HB 25