
SENATE BILL 5543

State of Washington

53rd Legislature

1993 Regular Session

By Senators Sutherland, Barr, Deccio and Winsley

Read first time 02/02/93. Referred to Committee on Ecology & Parks.

1 AN ACT Relating to extending the state preemption on regulating
2 products and product packaging; amending RCW 70.95C.100 and 82.02.025;
3 creating a new section; providing an effective date; and declaring an
4 emergency.

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

6 **Sec. 1.** RCW 70.95C.100 and 1989 c 431 s 50 are each amended to
7 read as follows:

8 (1) After April 1, 1989, the state preempts the field of imposing
9 prohibitions on the sale or distribution of products and product
10 packaging for the purpose of affecting the disposal of the product or
11 product packaging. The state shall have exclusive authority to impose
12 such prohibitions or bans. No local or regional subdivision of the
13 state shall have any authority to impose such a prohibition or ban on
14 products or product packaging unless specifically granted such
15 authority by the state legislature. This section shall not apply to an
16 ordinance or resolution adopted prior to April 1, 1989.

17 ((~~1~~)) (2) This section shall expire July 1, ((~~1993~~)) 1997.

1 **Sec. 2.** RCW 82.02.025 and 1989 c 431 s 49 are each amended to read
2 as follows:

3 (1) After April 1, 1989, the state preempts the field of imposing
4 deposits or taxes upon a limited class of products and product
5 packaging for the purpose of affecting the disposal of the product or
6 the product packaging. The state shall have the exclusive authority to
7 impose such deposits or taxes. No local or regional subdivision of the
8 state shall have any authority to impose such a deposit or tax unless
9 specifically granted authority by the state legislature. This section
10 shall not apply to an ordinance or resolution adopted prior to April 1,
11 1989.

12 (2) This section shall expire July 1, (~~(1993)~~) 1997.

13 NEW SECTION. **Sec. 3.** The clean Washington center shall make a
14 recommendation to the legislature by December 1, 1996, as to whether
15 the preemptions under RCW 70.95C.100 and 82.02.025 should be made
16 permanent.

17 NEW SECTION. **Sec. 4.** This act is necessary for the immediate
18 preservation of the public peace, health, or safety, or support of the
19 state government and its existing public institutions, and shall take
20 effect June 30, 1993.

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