

CERTIFICATION OF ENROLLMENT

**SUBSTITUTE HOUSE BILL 1887**

Chapter 289, Laws of 2005

59th Legislature  
2005 Regular Session

LITTER TAX

EFFECTIVE DATE: 7/24/05

Passed by the House March 15, 2005  
Yeas 96 Nays 0

FRANK CHOPP

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**Speaker of the House of Representatives**

Passed by the Senate April 14, 2005  
Yeas 40 Nays 0

BRAD OWEN

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**President of the Senate**

Approved May 4, 2005.

CHRISTINE GREGOIRE

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**Governor of the State of Washington**

CERTIFICATE

I, Richard Nafziger, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **SUBSTITUTE HOUSE BILL 1887** as passed by the House of Representatives and the Senate on the dates hereon set forth.

RICHARD NAFZIGER

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**Chief Clerk**

FILED

May 4, 2005 - 4:00 p.m.

**Secretary of State  
State of Washington**

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**SUBSTITUTE HOUSE BILL 1887**

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Passed Legislature - 2005 Regular Session

**State of Washington                      59th Legislature                      2005 Regular Session**

**By** House Committee on Finance (originally sponsored by  
Representatives Hasegawa, Orcutt and Chase)

READ FIRST TIME 03/07/05.

1            AN ACT Relating to exemptions to the litter tax; and amending RCW  
2    82.19.050.

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

4            **Sec. 1.** RCW 82.19.050 and 2003 c 120 s 1 are each amended to read  
5    as follows:

6            The litter tax imposed in this chapter does not apply to:

7            (1) The manufacture or sale of products for use and consumption  
8    outside the state;

9            (2) The value of products or gross proceeds of the sales exempt  
10   from tax under RCW 82.04.330;

11           (3) The sale of products for resale by a qualified grocery  
12   distribution cooperative to customer-owners of the grocery distribution  
13   cooperative. For the purposes of this section, "qualified grocery  
14   distribution cooperative" and "customer-owner" have the meanings given  
15   in RCW 82.04.298; (~~or~~)

16           (4) The sale of food or beverages by retailers that are sold solely  
17   for immediate consumption indoors (~~on~~) at the seller's (~~premises~~)  
18   place of business or at a deck or patio at the seller's place of

1 business, or indoors at an eating area that is contiguous to the  
2 seller's place of business; or

3 (5)(a) The sale of prepared food or beverages by caterers where the  
4 food or beverages are to be served for immediate consumption in or on  
5 individual nonsingle use containers at premises occupied or controlled  
6 by the customer.

7 (b) For the purposes of this subsection, the following definitions  
8 apply:

9 (i) "Prepared food" has the same meaning as provided in RCW  
10 82.08.0293.

11 (ii) "Nonsingle use container" means a receptacle for holding a  
12 single individual's food or beverage that is designed to be used more  
13 than once. Nonsingle use containers do not include pizza delivery bags  
14 and similar insulated containers that do not directly contact the food.  
15 Nonsingle use containers do not include plastic or paper plates or  
16 other containers that are disposable.

17 (iii) "Caterer" means a person contracted to prepare food where the  
18 final cooking or serving occurs at a location selected by the customer.

Passed by the House March 15, 2005.

Passed by the Senate April 14, 2005.

Approved by the Governor May 4, 2005.

Filed in Office of Secretary of State May 4, 2005.