

HOUSE BILL REPORT

HB 1189

As Reported by House Committee On:
Environmental Health

Title: An act relating to retail store carryout bags.

Brief Description: Regarding retail store carryout bags.

Sponsors: Representatives Chase and Campbell.

Brief History:

Committee Activity:

Environmental Health: 2/4/09, 2/2/10 [DPS].

Brief Summary of Substitute Bill

- Requires the use of compostable plastic, recyclable paper, or reusable carryout bags by retailers who distribute these bags to customers either free or for a charge beginning January 1, 2013.

HOUSE COMMITTEE ON ENVIRONMENTAL HEALTH

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 6 members: Representatives Campbell, Chair; Chase, Vice Chair; Dickerson, Dunshee, Finn and Hudgins.

Minority Report: Without recommendation. Signed by 1 member: Representative Rolfes.

Staff: Pam Madson (786-7111).

Background:

Approaches to addressing the environmental impact of plastic bags used by retailers and provided to customers to carry purchases out of the store are varied. These bags contribute to litter and end up in landfills or in water bodies. The recycle rate for plastic bags is low. Options proposed to reduce litter and waste include imposing a fee on the use of plastic bags, requiring certain retailers to provide recycle bins for plastic bags, and banning the use of

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

single use plastic bags. Some retail stores are providing alternatives to plastic bags or are phasing out the use of plastic bags altogether.

Civil infractions are non-criminal offenses that provide monetary penalties. A person that commits a class 4 civil infraction is subject to a fine of \$50.

Summary of Substitute Bill:

Beginning January 1, 2013, retail stores may only distribute carryout bags to customers if they are compostable plastic, recyclable paper, or reusable carryout bags. A carryout bag is a bag provided by a retailer to a customer at the point of sale. Compostable plastic bags must meet standards adopted by the American Society of Testing and Materials International and must be green in color. A reusable carryout bag must be either a durable plastic of at least 2.25 mils thick or a reusable machine-washable textile material.

The Department of Ecology (DOE) must develop guidelines for allowable carryout bags. Restrictions do not apply to a retailer's inventory on hand as of January 1, 2013. The DOE may adopt rules to implement this law.

A violation of this restriction is a class 4 civil infraction. State law pre-empts local ordinances covering retail store carryout bags that are inconsistent with state law.

Substitute Bill Compared to Original Bill:

The substitute bill requires compostable plastic bags to be green in color to distinguish them from non-compostable plastic bags. The requirement to use compostable plastic, recyclable paper, or reusable carryout bags is effective beginning January 1, 2013. Penalties for violations under this law are reduced from a class 1 civil infraction to a class 4 civil infraction.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date of Substitute Bill: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

See Committee records from 2009.

Persons Testifying: See Committee records from 2009.

Persons Signed In To Testify But Not Testifying: See Committee records from 2009.