5323-S.E AMH ORCU LIPS 352

**ESSB 5323** - H AMD TO H AMD (H-5413.1/20) **2173**

By Representative Orcutt

**NOT ADOPTED 03/07/2020**

 On page 3, line 27 of the striking amendment, after "(2)" strike "(a)"

 On page 3, line 29 of the striking amendment, after "make" strike "reusable"

 Beginning on page 3, line 31 of the striking amendment, strike all of subsections (b) and (c)

 On page 6, beginning on line 1 of the striking amendment, strike all of section 4

 Renumber the remaining sections consecutively, and correct any internal references accordingly.

 On page 7, beginning on line 11 of the striking amendment, after "(1)" strike "Except as provided in subsection (2) of this section, a" and insert "A"

 On page 7, beginning on line 13 of the striking amendment, after "ordinance." strike everything through "2021." on line 22 and insert "Any carryout bag ordinance that was enacted as of April 1, 2020 is preempted by this chapter, effective January 1, 2021."

 Beginning on page 7, line 30 of the striking amendment, after "include" strike everything through "Recommendations" on page 8, line 6 and insert "recommendations"

 On page 8, beginning on line 12 of the striking amendment, after "the" strike "pass-through charge collected" and insert "sale of a carryout bag"

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|  |  EFFECT:   Removes the mandatory pass-through charge on carryout bags provided by a retailer to a customer. Authorizes the sale of carryout bags by retail establishments. Removes the requirement that the Department of Ecology report to the Legislature on aspects of the pass-through charge, and removes provisions regarding the inapplicability of pass-through charges to certain persons. Preempts local carryout bag ordinances that establish a pass-through charge of any amount. Amends the business and occupation tax deduction to apply to amounts from sales of carryout bags, rather than amounts of pass-through charges collected.  |

**--- END ---**