SENATE BILL REPORT
SB 6271

As of February 3, 2026

Title: An act relating to mattress producer responsibility organizations.

Brief Description: Concerning mattress producer responsibility organizations.

Sponsors: Senators Hunt, Lovelett, Conway, Nobles and Shewmake.

Brief History:
Committee Activity: Environment, Energy & Technology: 2/04/26.

Brief Summary of Bill

- Requires producers of mattresses to establish and fund a producer responsibility organization to implement a program for the post-consumer management of mattresses.

SENATE COMMITTEE ON ENVIRONMENT, ENERGY & TECHNOLOGY

Staff: Alicia Kinne-Clawson (786-7407)

Background: Under the state's solid waste management laws, local governments are the primary government entity responsible for implementing state solid waste management requirements. The Department of Ecology (Ecology) also has certain roles in overseeing the administration of solid waste management laws. Ecology is responsible for working cooperatively with local governments as they develop their local solid waste management plans. County and city solid waste management plans are required to contain certain elements, including a waste reduction and recycling element.

The Legislature has enacted laws that require the establishment of extended producer responsibility or product stewardship (EPR) programs for the management of six types of products: (1) electronic products; (2) light bulbs that contain mercury; (3) photovoltaic solar panels; (4) pharmaceuticals; (5) paint; and (6) batteries. In general, the state's EPR programs

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require producers to participate in a stewardship organization or program that is responsible for the collection, transport, and end-of-life management of products covered by each program. Ecology is responsible for the oversight of the state's EPR programs, with the exception of the Pharmaceutical Stewardship Program, which is overseen by the Department of Health. The Pollution Control Hearings Board (PCHB) is an appeals board with jurisdiction to hear appeals of certain decisions, orders, and penalties issued by Ecology and several other state agencies. Parties aggrieved by a PCHB decision may obtain subsequent judicial review.

Summary of Bill: By January 1, 2027 a producer of a mattress for introduction into this state must implement a producer responsibility organization (PRO) to carryout implementation of an approved PRO plan. Beginning January 1, 2031, a producer that is not a member in good standing with a registered PRO may not introduce a mattress into the state. By January 1, 2031, or within one year of plan approval, the PRO must implement the PRO plan approved by Ecology.

Producer Responsibility Organization. The mattress PRO is responsible for registering annually with Ecology on behalf of it's producers.

Responsibilities for the PRO include but are not limited to:

- submit an annual registration fee to Ecology;
- establish an initial producer fee schedule to fund initial implementation of the Mattress Stewardship Program (program);
- submit and implement the PRO plan;
- submit an annual report;
- reimburse service providers consistent with the terms of a contract between the PRO and service provider; and
- ensure compliance with the act.

The PRO plan must describe the organizational structure, performance goals, retailer obligations, education and outreach strategy, funding model, collection and recycling strategy, and how the program will meet the program goals. The PRO plan must describe the manner and means for fully funding the obligations of the program as well as a detailed program budget.

The PRO plan must include a collection mechanism for illegally dumped mattresses.

Retailers. Retailers must purchase mattresses only from producers or renovators that are registered with the PRO. Retailers are prohibited from charging a point of sale fee for the program. Retailers must provide consumers information on the program at the point of sale.

Fees. The PRO is responsible for establishing fees and collecting fees sufficient to cover program costs. Fees for the program may encourage eco-modulation and be designed to facilitate reuse and recycling as well as discourage the use of problematic materials. Fees

may not be used for government or lobbying purposes.

The PRO must maintain a prudent reserve that is not less than two months of operating expenses and not more than six months. Ecology is authorized to require an amendment to the PRO plan to increase collection rates if reserves exceed more than six months in operating costs.

Convenience Standards. The program is required to collect all mattress types and brands on a continuous, convenient, visible, and accessible basis.

The plan submitted by a PRO must include performance goals that focus on achieving continuous, meaningful progress in improving:

- rate of mattress collection;
- reuse and renovation rate;
- recycling rate; and
- public awareness.

The performance goals in the PRO plan must include a target recycling rate of at least 70 percent.

Miscellaneous Provisions. Reporting, education and outreach, and enforcement requirements are provided. An advisory council is established to, among other things, review the PRO plan and annual reports, provide input on rules adopted by Ecology, and advise and make recommendations to the PRO prior to plan submission. Ecology must implement, administer, and enforce program requirements, including the imposition of civil penalties, following specified procedures, on producers, PROs, and persons that sell or distribute covered mattresses into the state.

Mattress is defined to include the mattress itself, a foundation, or the mattress component of a mattress-containing furniture piece.

Appropriation: None.

Fiscal Note: Not requested.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.