
Environmental Health Committee

HB 1189

Brief Description: Regarding retail store carryout bags.

Sponsors: Representatives Chase and Campbell.

<p>Brief Summary of Bill</p> <ul style="list-style-type: none">• 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.

Hearing Date: 2/4/09

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 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 noncriminal offenses that provide monetary penalties. A person that commits a Class I civil infraction is subject to a fine of \$250.

Summary of Bill:

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

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American Society of Testing and Materials International. 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 August 1, 2009. The DOE may adopt rules to implement this law.

A violation of this restriction is a Class 1 civil infraction. State law preempts local ordinances covering retail store carryout bags that are inconsistent with state law.

Appropriation: None.

Fiscal Note: Not requested.

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