

2020 Legislative Session

Zero Waste Washington worked hard to support strong zero waste policy during the 2020 WA legislative session, working with partner organizations and agencies. The session ran from January 13 to March 12, 2020.

End of session: Six of six zero waste bills were passed by legislature. Two were signed by governor. Two were signed but partially vetoed. Two were vetoed. The governor vetoed and partially vetoed bills due to economic concerns related to COVID-19.

Priority bills

***Signed into law by Governor Inslee on March 25, 2020!* Reusable Bag Bill (2SHB 1205/ESSB 5323 – Relating to reducing pollution from plastic bags by establishing minimum state standards for the use of carryout bags at retail establishments):** Building on the 38 local plastic bag ordinances in Washington, bans thin plastic carryout bags at all retail establishments. Stores could provide paper or thicker plastic bags (2.25 mil thick) for an 8 cents pass-through charge. For more info, please see [bag bill factsheet](#). House bill – did not advance in 2019 session, not expected in 2020. Senate bill – Passed Senate Floor with a bipartisan 31-14-4 vote on March 5, 2019. [See press release \(March 6, 2019\)](#). See [press release from Recology about tests that show that thicker plastic bags do NOT clog equipment at recycling facilities](#). Did not come to the House floor for a vote in 2019. **STATUS:** Senate bill – Passed Senate Floor with a bipartisan 30-19 vote on January 15, 2020! See press release [\(January 15, 2020\)](#). Passed House Floor with a bipartisan 67-29-0-2 vote on March 7, 2020! See [press release \(March 7 2020\)](#) Senate concurred with House amendments (33-15-0-1) on March 9, 2020. President signed and speaker signed on March 11, 2020. Delivered to Governor on March 12, 2020. Signed March 25, 2020.



Signed into law by Governor Inslee on April 2, 2020. He vetoed the task force. Solar panel recycling (ESHB 2645 – Concerning the photovoltaic module stewardship and takeback program.): Fixes loopholes in the existing producer stewardship program for solar modules. The law passed in 2017 didn't apply to solar panels that are not associated with buildings – i.e., solar farms. Delays program implementation by 2 years and establishes a task force to study it. **STATUS:** Voted out of the House with bi-partisan vote (95-1-0-2) on February 16, 2020. Passed Senate Floor with a bipartisan (48-1-0-0) vote on March 7, 2020! House concurred with Senate amendments (94-3-0-1) on March 10, 2020. Speaker signed on March 11, 2020. President signed and bill delivered to Governor on March 12, 2020. Signed April 2, 2020, but partially vetoed..

Vetoed by governor, due to COVID-19 economic concerns. Recycled content (ESHB 2722/SB6645 – Relating to minimum recycled content requirements): Requires that beverage containers sold into Washington State have minimum post-consumer recycled plastic content, tiered up each 5 years up to a minimum of 50% by 2030. This bill applies to almost all beverages for human and animal consumption. If



passed, this will be the first such bill in the nation. **STATUS:** Senate bill didn't move forward. House bill: voted out of the House with bi-partisan vote (64-32-0-2) on February 13, 2020! See [Feb 13 media release](#). Voted out of the Senate with bi-partisan vote (30-19-0-0) on March 5, 2020! See [March 6 media release](#). Back to the House for concurrence: House refuses to concur in Senate amendments. Asks Senate to recede from

amendments (*this related to 2 typos*) on March 7, 2020. Senate receded from amendments and passed new amendments (28-21-0-0) on March 10, 2020. House concurred with Senate amendments (57-40-0-1) on March 11, 2020. Speaker signed, president signed and bill delivered to Governor on March 12, 2020. Vetoed April 2, 2020.

Signed into law by Governor Inslee on March 25, 2020! Flushable wipes (ESHB 2565 – Concerning the labeling of disposable wipes products): Requires that nonflushable wipes be labeled as such. **STATUS:** Voted out of the House with bi-partisan vote (92-3-0-3) on February 16, 2020! Voted out of the Senate with bi-partisan vote (36-10-0-3) on March 5, 2020. Back to the House for concurrence where it passed 93-4-0-1 on March 7, 2020. Speaker signed bill on March 9, 2020. President signed on March 11, 2020. Delivered to Governor on March 11, 2020. Signed March 25, 2020.



Photo: Sanitation Districts of LA County

Signed into law by Governor Inslee on April 2, 2020. He vetoed part. Compost use (ESHB 2713 – Encouraging compost procurement and use): Compost is important to help restore soil health and to help reduce food waste. In Washington, we want to help improve the financial value of compost by increasing the use of compost. This bill encourages local governments to determine if compost products can be utilized in their project, and, if so, encourages them to purchase compost (with a priority for local compost).

STATUS: Voted out of the House with bi-partisan vote (96-0-0-2) on February 16, 2020! Voted out of the Senate with bi-partisan vote (48-0-1-0) on March 5, 2020. House concurred with Senate amendments (95-1-0-2) on March 9, 2020. Speaker signed on March 11, 2020. President signed and bill delivered to Governor on March 12, 2020. Signed April 2, 2020, but partially vetoed..



Vetoed by the governor, due to COVID-19 economic concerns. Industrial waste (SB 6430 (Previously SSB 5936 / HB 2079) – Establishing a statewide industrial waste coordination program): Requires the Department of Commerce to produce a proposal and recommendations for setting up an industrial waste coordination program and authorizes Commerce to make loans or grants and provide technical assistance for development of projects that encourage and enhance projects to create a cooperative use of waste heat and materials. In 2019 Senate bill – Passed Senate Floor unanimously 48-0-1 on March 8, 2019. **STATUS:** Voted out of the Senate with bi-partisan vote (48-0-0-1) on February 17, 2020! Voted out of the House with bi-partisan vote (96-0-0-2) on March 6, 2020! President signed bill on March 9, 2020. Speaker signed on March 10, 2020. Delivered to Governor on March 11, 2020. Vetoed April 2, 2020.

Bills that sadly did not make it this year. We will work on them again in future years!

Styrofoam Ban (HB 2429/SB 6213– Concerning certain expanded polystyrene products): Bans expanded polystyrene (aka styrofoam) food service products, coolers and packing materials (peanuts and rigid materials). Similar to 3 other state bills but goes further. **STATUS:** Passed Senate floor 30-19 but did not pass out of House Environment and Energy Committee.

Sharps Product Stewardship (HB 2360 – Establishing the sharps waste stewardship program): Establishes a producer responsibility program for medical sharps (syringes, needles, etc.) in Washington. Would include collection of sharps used in non-clinical settings funded by the sharps producers. For more info, please see sharps [bill factsheet](#). **STATUS:** Referred to Appropriations committee on February 4, 2020.

Battery Product Stewardship (HB 2496 – Providing for responsible environmental management of batteries): Establishes a producer responsibility program for batteries (up to 25 pounds) in Washington. Batteries are especially a concern because improper disposal leads to fires, such as at our recycling facilities. Would include collection of batteries at retail locations and municipal drop-off locations. For more info, please see [battery bill factsheet](#). **STATUS:** Heard in the Environment and Energy committee at 1:30 on February 3, 2020.

Banning withdrawal of WA water for bottled water (ESSB 6278 – Concerning water withdrawals for commercial bottled water production): Bans withdrawal of Washington waters for water bottling. **STATUS:** Voted out of the Senate with bi-partisan vote (28-20-0-1) on February 17, 2020! Scheduled for executive session but no action taken in the House Committee on Rural Development, Agriculture, & Natural Resources at 8:00 on February 28, 2020.

Plastic food service products (HB 2656 / SB 6627 (Previously SHB 1632) – Reducing waste associated with single-use food service products): Requires food service products (plates, cups, clamshells, deli rounds, etc.) to be recyclable or compostable ...and ultimately compostable-only by 2030. Requires utensils, straws and condiment packages be offered on demand. Adds a tax. **STATUS:** Senate bill did not move forward. House bill: Heard in the Appropriations committee at 1:30 on February 10, 2020.

Food labeling (HB 2651 – Addressing food waste by standardizing labels communicating the freshness or expiration of food): There is much confusion about what labels mean on food. The only food that is required to have an expiration date in the US is infant formula. This bill would require that if labels are used, manufacturers must use “Best if used by” or “Best if used or frozen by” to indicate food quality and “Use by” or “Use or freeze by” to indicate food safety. For more info, please see [food label bill factsheet](#). **STATUS:** Scheduled for executive session in the Rural Development, Agriculture, & Natural Resources committee, but no action was taken, at 10:00 on January 31, 2020.

Right to Repair (SHB 1342/SB 5799 – Concerning the fair servicing and repair of digital electronic products): Requires digital electronic product manufacturers, such as Apple and Microsoft, to make available electronic and repair information, parts, and tools related to independent repair. This bill makes it possible for small businesses to do repairs of cellphones and other items with motherboards and screens. This way, people will keep using their items instead of tossing them! **STATUS:** Heard in Environment, Energy & Technology committee at 10:00 on January 21, 2020.

Biowaste study (SB 6435 – Promoting the development of the Washington state bioeconomy): Requires the University of Washington must conduct a study identifying opportunities to further develop Washington State’s bioeconomy to expand the use of renewable biological resources in the production of fuels, chemicals, and other materials. Report due July 1, 2023. **STATUS:** Heard in the Senate Committee on Environment, Energy & Technology committee on January 22, 2020.

Carried over from 2019

Litter penalties (SHB 1088 – Relating to repercussions for littering): Requiring a person to perform forty hours of community restitution removing litter from public property (in addition to fines). Bill was heard in House committees during the 2019 session. **STATUS:** Placed on second reading by Rules Committee on January 28, 2020

Using American or recycled steel in construction (HB 1570/SSB 5456 – Requiring the use of American or recycled steel products on certain public works): Requires public works projects require that all steel products used or supplied must be produced in the US or produced in a country where more than 65% of that country's total crude steel output is produced by means of electric arc furnaces that use post-consumer scrap steel material as the major feedstock. Introduced but not heard in committee in 2019 session. **STATUS:** Senate bill heard in the Transportation committee at 3:30 PM on February 3, 2020.

Plastic straw ban (ESSB 5077 – Prohibiting single-use plastic straws): Requiring that straws only be offered on demand. **STATUS:** Senate bill – Passed Senate Floor with a 27-21-1 vote on March 5, 2019. [See press release \(March 6, 2019\)](#). Referred to House Rules 2 Review on April 3, 2019.

Composting/recycling in schools (SB 5187 – Concerning school composting and recycling): Allows public schools to offer students the opportunity to compost their food waste and to recycle and permits the state to provide free pickup of compost and provide supplies such as bins and compost bags. **STATUS:** Was heard in Senate committees during the 2019 session.

Bills we opposed or for which we had significant concerns (none moved forward)

Repeal of existing solar panel recycling program (HB 2389 Establishing a comprehensive, statewide photovoltaic module recovery, reuse, recycling, and end-of-life program): Repeals the existing producer stewardship program for solar modules and establishes a study and stakeholder process. Please email Heather to find out more. **STATUS:** Heard in Environment & Energy committee at 1:30 on January 27, 2020.

SIMILAR BILL, BUT NO REPEAL Study associated with existing solar panel recycling program (SB 6622 Establishing a comprehensive, statewide photovoltaic module recovery, reuse, recycling, and end-of-life program): Delays implementation of the existing producer stewardship program for solar modules and establishes a study and stakeholder process. Please email Heather to find out more. **STATUS:** Referred to Ways & Means committee on February 7, 2020.

Allows Waste to Energy (aka incineration) to be renewable energy (HB 2495 Concerning the use of electricity from energy recovery facilities using municipal solid waste under the Washington clean energy transformation act): Allows burning of municipal solid waste to be considered renewable energy. Please email Heather to find out more. **STATUS:** Referred to Environment & Energy committee on January 15, 2020.

Standardized list for recyclables (HB 1795/ SB 5854 Ensuring the long-term economic and environmental sustainability of the state’s recycling system within the existing regulatory structure): Requires a limited list of items that can be put in the “blue bin” be listed in statute, with additional items to be added only with life cycle analysis. We strongly oppose this bill. Please email Heather to find out more. **STATUS:** Bills did not advance past policy committees in the 2019 session.

Litter fund restrictions (SB 5093 Enhancing litter control along state highways): Provides expenditures from the waste reduction, recycling, and litter control account to be prioritized on highway litter collection effort. Requires the department of transportation to: (1) Manage all highway litter collection efforts in coordination with the existing state adopt-a-highway program; and (2) Expand existing contracts with the ecology youth corps and the department of corrections inmates for more comprehensive litter collection along state highways. **STATUS: Voted out of the Senate with bi-partisan vote (47-0-0-2) on February 17, 2020. Heard in the House Environment & Energy committee at 8:00 on February 27, 2020.**

Environmental Priorities Coalition

Zero Waste Washington is part of the Environmental Priorities Coalition. The Coalition is made up of 24 statewide organizations working to safeguard our environment and the health of our communities in the state legislature. For the 2020 legislative session, we had four priorities essential for healthy communities and a thriving environment:

- **Reusable Bag Bill (SB 5323)** – See above
- **Clean Fuels Now** (HB 1110/SB 5412)
- **Climate Pollution Limits** (HB 2311)
- **Healthy Habitat Healthy Orcas** (HB 2550)
- **Partnership Agenda.** The coalition also adopted a Partnership Agenda. This agenda supports work that is important for environmental progress being led by partners outside the coalition and included the Extending Apple Health Coverage Until Age 26, Safe Train Crew Size Act, and Voting Justice bills.