
Environment & Energy Committee

HB 2284

Brief Description: Reducing litter.

Sponsors: Representatives Dye and Klicker.

Brief Summary of Bill

- Requires the Department of Ecology to convene a littering solutions task force to provide recommendations to the Legislature by November 2027.
- Eliminates the scheduled 2028 increase in the minimum thickness of plastic bags from 2.25 mils to 4 mils, and makes permanent the temporary 4-cent penalty that applies to carryout bags made of film plastic with a thickness of at least 4 mils.

Hearing Date: 1/15/26

Staff: Jacob Lipson (786-7196).

Background:

Litter.

The Waste Reduction, Recycling, and Litter Control Act (Act), dating to 1971, establishes statewide programs to prevent and clean up litter, reduce waste, and increase recycling. These programs are funded by the 0.015 percent litter tax on manufacturers', wholesalers', and retailers' gross proceeds on 13 categories of consumer products. The programs funded by the litter tax via the Waste Reduction, Recycling, and Litter Control Account created under the Act include litter collection efforts by state agencies, Ecology, and state assistance of local government waste reduction, composting, and recycling programs.

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

The Act directs Ecology to control and remove litter. Littering rules are enforced by law enforcement, fire wardens, and certain state employees. Monetary penalties and other sanctions for littering increase in severity in correlation with increases in the volume of litter.

Carryout Bags.

Retail establishments are prohibited from providing a customer, or to a person at an event, a single-use plastic carryout bag, or a paper or reusable plastic carryout bag that does not meet recycled content requirements. Food banks and food assistance programs are not considered retail establishments but are encouraged to take action to reduce single-use plastic carryout bags. Carryout bags do not include certain bags used inside stores. Compostable bags are allowed as carryout bags, so long as they meet labeling requirements and degradability standards.

Until December 31, 2025, retail establishments were required to collect an 8-cent pass-through charge when providing a reusable plastic film bag or carryout paper bag that is at least 882 cubic inches. Since January 1, 2026, the pass-through charge for reusable carryout plastic film bags has been 12 cents. A retail establishment is prohibited from reimbursing a customer any portion of the pass-through charge.

Reusable carryout bags made from film plastic must be at least 2.25 mils thick until December 31, 2027, and thereafter must be 4 mils thick. Until December 31, 2027, retail establishments that offer for sale reusable plastic bags with a thickness of at least 4 mils must collect a 4-cent penalty in addition to the 12-cent pass-through charge. This 4-cent penalty must be deposited in the Waste Reduction, Recycling, and Litter Control Account and, like the 12-cent pass-through charge, must be shown on receipts provided to customers.

Summary of Bill:

The scheduled increase in the minimum thickness of carryout bags made of film plastic from 2.25 mils to 4 mils on January 1, 2028 is eliminated. The temporary 4-cent penalty on carryout bags made of film plastic with a thickness of at least 4 mils is made permanent. Compostable bags eligible to be used as carryout bags are specified to include, but not be limited to, bags made in whole or in part from potato starch.

Ecology is directed to convene a task force to provide policy recommendations with the goal of ensuring a net decrease in litter. Ecology may contract with an independent third-party facilitator to convene the task force. The task force must consist of representatives of 15 specified interests, including representatives of eight specified types of associations, and six specified state agencies.

This task force must at minimum, consider the following when developing policy recommendations:

- the results of Ecology's 2022 statewide litter study;
- how to reduce litter at specific public sites;
- how to reduce the most common types of litter; and

- how to reduce the cost-per-mile of litter cleanup along state roadways and the root causes of why the average amount of litter per mile far exceeds the average amount of litter per mile along roadways in other states.

Ecology must submit a status update to the appropriate committees of the Legislature by January 15, 2027, and a final report consisting of the recommendations of the task force by November 15, 2027.

Appropriation: None.

Fiscal Note: Requested on January 7, 2026.

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