



2023-2024 Recycling Legislation Comparison Chart

Provision	2SHB 1131 (Rep. Berry, 2023)	HB 2049 (Rep. Berry, 2024)	HB 1900 (Rep. Fey, 2024)
Scope of covered products?	Packaging and paper products, with exemptions.	Same as HB 1131, but with additional and amended categories of exemptions.	Same as HB 1131, but with additional and amended categories of exemptions. Some differences from HB 2049.
"Producer" definition	New definition created.	New definition created, differs from HB 1131 in the constructed categories for the assignment of producer responsibility.	Uses RCW 70A.245 definition.
Formation of a Producer Responsibility Organization (PRO) to finance and implement a plan to collect and manage covered products?	Yes. Assigned responsibilities for plan submission, producer funding, program implementation (collection, management, infrastructure investment, education and outreach), registration, reporting, local government and service provider reimbursement, and other duties.	Yes, similar to HB 1131.	No.
Producer Registration?	Yes, through PRO.	Yes, through PRO.	Yes, directly to Department of Ecology (Ecology), or through a third-party organization.
Producer Reporting on Packaging?	Yes, through PRO.	Yes, through PRO.	Yes, directly to Ecology or through a third-party organization.
Performance Rates Study?	Ecology must conduct a performance rates study through a third-party contractor.	The performance rates proposed in the December 2023 report that resulted from the 2023 Operating Budget proviso are to be taken into account in the statewide needs assessment and the PRO plan.	Similar to HB 2049, except that rates are not used as the basis for a PRO plan.
Lists of materials suitable for recycling?	The PRO must designate materials for collection statewide in the PRO plan submitted to Ecology for approval.	Ecology must identify initial lists of materials for curbside collection and for drop-off collection. List contents may be adjusted by Ecology after initial 2025 adoption.	Similar to HB 2049, except the bill specifies the initial categories of material types for curbside collection (certain types of paper, metal cans, and HDPE and PET plastic containers) and for drop-off collection (glass and plastic film).



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"Needs Assessment"?	Ecology must arrange for a third-party consultant to conduct a needs assessment, in consultation with PRO.	Ecology must arrange for a third-party consultant to conduct a needs assessment. The contents of the needs assessment differ relative to HB 1131.	Similar to HB 2049, with some differences in content of needs assessment, and without PRO consultation.
Labeling regarding recyclability of products ("Truth in Labeling")?	Deceptive or misleading claims of recyclability are prohibited.	Deceptive or misleading claims of recyclability are prohibited.	Ecology performs a material characterization study. Materials that do not meet certain criteria in the material characterization study are determined not to be recyclable. Materials that are not determined to be recyclable in Washington may not be labeled as recyclable. Deceptive or misleading claims of recyclability are prohibited.
Recycling Performance Rates/Goals?	PRO implementation must achieve performance rates in plan submitted to and approved by Ecology.	PRO implementation must achieve performance rates in plan submitted to and approved by Ecology.	Establishes a recycling rate goal of 60 percent for covered products. Establishes goals for materials related to 'recyclability' of packaging.
Local Solid Waste Planning & Service Provider Oversight changes? (RCW 70A.205, 81.77)?	Yes, to reflect new PRO plan implementation for covered products, which include a requirement that curbside recycling services be provided where curbside garbage service is provided.	Yes, to reflect new PRO plan implementation for covered products, which include a requirement that curbside recycling services be provided where curbside garbage service is provided. Details of solid waste statute amendments differ from HB 1131.	No.
Advisory Committee?	Established by Ecology. Duties and makeup of committee specified in statute.	Similar to HB 1131.	Similar to HB 1131, except that scope of duties does not include PRO-related oversight.
Post-Consumer Recycled Content (PCRC) Requirements for Plastic Products	The following categories of plastic products are newly subject to PCRC requirements: (1) plastic tubs for food products, (2) single-use plastic cups, (3) thermoform plastic containers for	Similar to HB 1131.	Similar to HB 2049, with some differences in the categories of covered products (e.g. plastic tubs versus 'plastic tubs for food') and dates by which rates must be achieved. Does not include PCRC for



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	consumable and durable goods; (4) plastic plant pots/trays and (5) collection containers. PCRC requirement compliance is managed through the PRO for products that are also 'covered products' under the PRO; registration and reporting are administered directly by Ecology for products other than 'covered products'.		collection containers. All PCRC requirements administered/enforced directly by Ecology.
Deposit Return System for Beverage Containers?	Yes, with requirements specified in 22 sections of the bill (part III of bill).	No, but beverage containers become exempt from PRO participation if a distributor responsibility organization or other entity submits a plan and receives Ecology approval to implement a plan that does not conflict with PRO plans.	No.
Producer oversight and enforcement?	Oversight and enforcement responsibilities for PRO, beverage container bottle deposit, and PCRC requirements assigned to Ecology. Ecology must adopt rules. Penalties for violations. Appeals to Pollution Control Hearings Board.	Similar to HB 1131, except that scope of oversight and enforcement is different to reflect the other differences in the proposals, and with numerous additional changes to the specifics of rule adoption, annual reporting, and other aspects of Ecology oversight.	Similar to HB 2049, except that scope of oversight and enforcement is different to reflect the other differences in the proposals (e.g. HB 1900 does not have the approval of PRO plans as one of Ecology's duties).
Low Income Solid Waste Customer Financial Assistance?	Not Included.	Not included.	The UTC must study and report to the Legislature on options to change low-income solid waste customer financial assistance.
Litter Tax Study?	Ecology must study and report to the Legislature to consider possible changes to the litter tax.	Similar to HB 1131.	Not included.
Convenience Feasibility Study?	Ecology must study and report to the Legislature to identify options to improve consumer experience with unwanted products across state product stewardship programs.	Not included.	Not included.