

**A-Engrossed  
House Bill 2191**

Ordered by the House April 4  
Including House Amendments dated April 4

Introduced and printed pursuant to House Rule 12.00. Pre-session filed (at the request of House Interim Committee on Sustainability and Economic Development)

**SUMMARY**

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

Provides that Department of Environmental Quality may not disclose certain financial, **cost**, production or sales data obtained by department as part of approval of plan for statewide architectural paint stewardship pilot program or as part of annual reports. Allows department to disclose, in aggregate form, **certain** information obtained by department.

**Provides that department may not disclose names of brands of specific producers obtained by department as part of approval of plan for statewide architectural paint stewardship pilot program. Allows department to disclose separate lists indicating participating producers and participating brands.**

Declares emergency, effective on passage.

**A BILL FOR AN ACT**

1  
2 Relating to paint stewardship; creating new provisions; amending section 7, chapter 777, Oregon  
3 Laws 2009; and declaring an emergency.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1.** Section 7, chapter 777, Oregon Laws 2009, is amended to read:

6 **Sec. 7.** [*The Department of Environmental Quality may not disclose data reported by a*  
7 *stewardship organization under section 6 of this 2009 Act. The department may disclose information*  
8 *contained in the records obtained by the department under section 6 of this 2009 Act in aggregate*  
9 *form.*]

10 **(1)(a) Except for the financial, cost, production or sales data and records specified in**  
11 **paragraph (b) of this subsection, the Department of Environmental Quality may not disclose**  
12 **any financial, cost, production or sales data and records of a stewardship organization, or**  
13 **of a specific producer, obtained by the department as part of the approval of a plan for a**  
14 **statewide architectural paint stewardship pilot program pursuant to section 4, chapter 777,**  
15 **Oregon Laws 2009, or as part of an annual report submitted pursuant to section 6, chapter**  
16 **777, Oregon Laws 2009.**

17 **(b) If the Department of Environmental Quality determines that disclosure is necessary**  
18 **for the public to adequately understand the derivation of the architectural paint stewardship**  
19 **assessment described in section 4, chapter 777, Oregon Laws 2009, the level of the services**  
20 **or associated costs that are anticipated under the assessment or the services or associated**  
21 **costs that are delivered under the assessment, the department may disclose, in aggregate**  
22 **form, information contained in the financial, cost, production or sales data and records re-**  
23 **lated to the level of service and associated costs for the following services offered by the**

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

1 statewide architectural paint stewardship pilot program:

2 (A) Collection, reuse, transportation, recycling, energy recovery, disposal and other pro-  
3 cessing of waste paint;

4 (B) Waste reduction efforts;

5 (C) Education and promotion; and

6 (D) Administration.

7 (2) The Department of Environmental Quality may not disclose the names of brands by  
8 specific producers obtained by the department as part of the approval of a plan for a state-  
9 wide architectural paint stewardship pilot program pursuant to section 4, chapter 777,  
10 Oregon Laws 2009. The department may disclose separate lists indicating participating pro-  
11 ducers and participating brands of the statewide architectural paint stewardship pilot pro-  
12 gram.

13 (3) Nothing in this section shall impose additional reporting obligations on a stewardship  
14 organization beyond those specified in sections 1 to 10, chapter 777, Oregon Laws 2009.

15 **SECTION 2.** (1) The amendments to section 7, chapter 777, Oregon Laws 2009, by section  
16 1 of this 2011 Act apply to all financial, cost, production or sales data and records obtained  
17 by the Department of Environmental Quality as part of the approval of a plan for a statewide  
18 architectural paint stewardship pilot program pursuant to section 4, chapter 777, Oregon  
19 Laws 2009, before, on or after the effective date of this 2011 Act.

20 (2) The amendments to section 7, chapter 777, Oregon Laws 2009, by section 1 of this 2011  
21 Act apply to all financial, cost, production or sales data and records obtained by the De-  
22 partment of Environmental Quality as part of an annual report submitted pursuant to sec-  
23 tion 6, chapter 777, Oregon Laws 2009, before, on or after the effective date of this 2011 Act.

24 (3) The amendments to section 7, chapter 777, Oregon Laws 2009, by section 1 of this 2011  
25 Act apply to the names of brands by specific producers obtained by the Department of En-  
26 vironmental Quality as part of the approval of a plan for a statewide architectural paint  
27 stewardship pilot program pursuant to section 4, chapter 777, Oregon Laws 2009, before, on  
28 or after the effective date of this 2011 Act.

29 **SECTION 3.** This 2011 Act being necessary for the immediate preservation of the public  
30 peace, health and safety, an emergency is declared to exist, and this 2011 Act takes effect  
31 on its passage.

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