

**SB 123 A STAFF MEASURE SUMMARY**  
**House Committee On Climate, Energy, and Environment**

**Carrier:** Rep. Evans

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**Action Date:** 05/03/23  
**Action:** Do Pass the A-Eng bill.  
**Vote:** 7-1-2-0  
**Yeas:** 7 - Andersen, Helm, Kropf, Marsh, Owens, Pham K, Wallan  
**Nays:** 1 - Osborne  
**Exc:** 2 - Levy B, Levy E  
**Fiscal:** No fiscal impact  
**Revenue:** No revenue impact  
**Prepared By:** Erin Pischke, LPRO Analyst  
**Meeting Dates:** 4/24, 5/3

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**WHAT THE MEASURE DOES:**

Requires, no later than December 31, 2027, a producer responsibility organization to: consider and develop recommendations for the use of digital labeling by producers to convey information about recyclability claims when developing educational resources and promotional campaigns; and include digital labeling recommendations in producer responsibility program plan submitted to Department of Environmental Quality. Sunsets Act January 2, 2033.

**ISSUES DISCUSSED:**

- Consumer confusion as to what is recyclable
- Whether compostable materials are included in digital label information
- Digital labeling as an addition to the current educational outreach efforts related to recycling materials in Oregon
- Current actions of producer responsibility organizations established by Senate Bill 582 (2021)
- Privacy concerns with enabling geolocation feature on cell phones

**EFFECT OF AMENDMENT:**

No amendment.

**BACKGROUND:**

The Plastic Pollution and Recycling Modernization Act (SB 582, 2021) directed the Department of Environmental Quality (DEQ) to establish a Truth in Labeling Task Force. According to the Task Force's final report, "public confusion about what and how to recycle has been one of several root drivers of instability in Oregon's recycling system." In order to address this confusion, the Task Force was directed to study smart labeling and make recommendations for legislation to the Legislative Assembly. The Task Force expressed that a diverse group of interested parties should identify best practices for how to integrate commonly used smart-labeling technologies into labels to ensure accessibility and comprehension.

Senate Bill 123 A requires a producer responsibility organization to consider and develop recommendations for using digital labeling to convey information about recyclability claims and include digital labeling recommendations in their producer responsibility program plan submitted to DEQ.