

House Bill 4013

Sponsored by Representative SCHARF, Senator MEEK, Representatives GOMBERG, ELMER, Senator SMITH DB
(at the request of Oregon Winegrowers Association, Oregon Wine Council) (Pre-session filed.)

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 **as introduced**. The statement includes a measure digest written in compliance with applicable readability standards.

Digest: This Act tells the DEQ not to enforce certain laws related to wine packaging. The Act sunsets on July 1, 2026. (Flesch Readability Score: 63.2).

Prohibits the Department of Environmental Quality from enforcing the provisions of the producer responsibility program applicable to wine packaging.

Sunsets on July 1, 2026.

Declares an emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to wine packaging; and declaring an emergency.

3 Whereas wine packaged in beverage containers that are included in Oregon's Bottle Bill, ORS
4 459A.700 to 459A.744, are exempt from Oregon's Producer Responsibility Program, ORS 459A.860 to
5 ORS 459A.975; and

6 Whereas under existing law, wine in cans will be included in the Bottle Bill on July 1, 2025; and

7 Whereas under existing law, wine containers that are not included in the Bottle Bill will be
8 included in the Producer Responsibility Program as covered products on July 1, 2025; and

9 Whereas under existing law, nonexempt wineries that package wine in containers other than
10 cans will be required to join producer responsibility organizations by July 1, 2025, for their wine
11 containers and packaging; and

12 Whereas producers of wine containers and other wine packaging have a vested interest in
13 making participation in a recycling program for wine packaging as streamlined as possible to max-
14 imize the likelihood of achieving compliance and the efficient use of limited resources; and

15 Whereas the unique nature of wine bottles, which are the primary wine containers, in overall
16 size, material and weight means further analysis and formalized discussion are necessary to deter-
17 mine whether inclusion of wine containers in the Bottle Bill or Producer Responsibility Program is
18 the best course for overall environmental benefits and industry operation; and

19 Whereas the overall system costs for inclusion of wine containers in either the Bottle Bill or
20 the Producer Responsibility Program are unknown and require further research and analysis of data
21 not yet available; and

22 Whereas a stay of enforcement of the Producer Responsibility Program for wine containers and
23 other wine packaging for one year until July 1, 2026, will allow the wine industry and wine pack-
24 aging stakeholders to analyze data about both the Bottle Bill and the Producer Responsibility Pro-
25 gram and determine which program is more appropriate for recycling of wine packaging; now,
26 therefore

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

28 **SECTION 1. Notwithstanding any provision of ORS 459A.860 to 459A.975, the Department**

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 of Environmental Quality may not take enforcement action against any person, including but
2 not limited to producers of wine packaging as determined under ORS 459A.866, if the
3 enforcement action arises out of the person's failure to satisfy an obligation under ORS
4 459A.860 to 459A.975 related to wine packaging.

5 SECTION 2. Section 1 of this 2024 Act is repealed on July 1, 2026.

6 SECTION 3. This 2024 Act being necessary for the immediate preservation of the public
7 peace, health and safety, an emergency is declared to exist, and this 2024 Act takes effect
8 on its passage.

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