

HB 4030 STAFF MEASURE SUMMARY

House Committee On Climate, Energy, and Environment

Action Date: 02/12/26

Action: Do pass. Refer to Rules.

Vote: 11-1-0-0

Yeas: 11 - Andersen, Cate, Edwards, Gamba, Helm, Levy B, Levy E, Lively, McDonald, Osborne, Owens

Nays: 1 - Marsh

Fiscal: Fiscal impact issued

Revenue: Revenue impact issued

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Meeting Dates: 2/10, 2/12

WHAT THE MEASURE DOES:

The measure excludes from “covered products” certain packaging for blueberries, strawberries, or cane berries, as well as noncompostable packaging that comes in direct contact with any amount of fresh or processed meat, poultry, fish, or seafood, from producer responsibility requirements for packaging, paper, and food serviceware. The measure takes effect on the 91st day following adjournment sine die.

ISSUES DISCUSSED:

- Types of materials used by various food packagers
- Costs to packaging producers to comply with the Recycling Modernization Act
- Legal challenge to the Recycling Modernization Act

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

In 2021, Senate Bill 582 made significant changes to Oregon’s recycling system, including requiring that covered producers become members of a producer responsibility organization, which ensures that products collected are recycled by responsible end markets; establishing statewide recycling rates for plastic and recycling contamination reduction goals; and addressing the development and implementation of educational resources and promotional campaigns.

Covered products—which include packaging, printing and writing paper, and food serviceware—must be collected and managed responsibly by participating producers under the law, which is known as the Recycling Modernization Act. Some products are exempt from the law. According to the Oregon Department of Environmental Quality (DEQ), there are two ways a covered product can be exempted: through the legislative process, modifying ORS 459A.863(6)(b)(A-Q), and through the agency rulemaking process. For DEQ to exempt a product from the law, three criteria must be met:

1. The product does not enter the commingled system as a recyclable material or as a contaminant.
2. It is covered by another extended producer responsibility program.
3. It is discarded outside of Oregon.

Once a product is exempted, the costs for managing the product when it enters the commingled recycling system are shifted to the product’s producers.