

HB 4144 A BUDGET REPORT and MEASURE SUMMARY

Carrier: Sen. Neron Misslin

Joint Committee On Ways and Means

Action Date: 02/25/26

Action: Do pass the A-Eng bill.

Senate Vote

Yeas: 8 - Anderson, Campos, Lieber, Manning Jr, McLane, Neron Misslin, President Wagner, Sollman

Nays: 2 - Girod, Starr

Exc: 2 - Frederick, Smith DB

House Vote

Yeas: 13 - Bowman, Breese-Iverson, Elmer, Evans, Gomberg, Levy E, Nosse, Owens, Reschke, Ruiz, Sanchez, Smith G, Valderrama

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Reviewed By: April McDonald, Legislative Fiscal Office

Department of Environmental Quality

2025-27

Budget Summary*

	2025-27 Legislatively Approved Budget ⁽¹⁾	2026 Committee Recommendation	Committee Change from 2025-27 Leg. Approved	
			\$ Change	% Change
Other Funds Limited	\$ -	\$ 142,317	\$ 142,317	100.0%
Total	\$ -	\$ 142,317	\$ 142,317	100.0%

Position Summary

Authorized Positions	0	1	1
Full-time Equivalent (FTE) positions	0.00	0.50	0.50

⁽¹⁾ Includes adjustments through January 2026

* Excludes Capital Construction expenditures

Summary of Revenue Changes

House Bill 4144 directs the Environmental Quality Commission to set administrative fees by rule to cover the Department of Environmental Quality’s (DEQ) cost of administering and implementing the provisions of the measure and provides DEQ with an increase in Other Funds expenditure limitation totaling \$142,317. Fee revenue will be deposited into the Battery Producer Responsibility Fund, established in the bill, for the operation of a battery producer responsibility program. The bill authorizes DEQ to impose civil penalties ranging from \$500 to \$10,000 per day for violations of provisions in the bill. DEQ anticipates raising \$120,000 in Other Funds revenue in the 2025-27 biennium and \$291,000 in the 2027-29 biennium related to the fees authorized by the bill. Initial program costs will be paid for by existing Land Quality Division revenues, which will be repaid through annual program fee revenue once receipts are sufficient to support the program.

Summary of Natural Resources Subcommittee Action

House Bill 4144 prohibits producers of batteries or battery-containing products from the sale or distribution of specified batteries unless the producer participates in a battery producer responsibility organization and implements a battery producer responsibility program, approved by DEQ. The bill prohibits a person from knowingly disposing of a specified battery in mixed municipal solid waste. The bill directs DEQ to review, approve, and enforce battery producer responsibility program plans. The bill also directs producers to provide an annual report to DEQ on the development, implementation, and operation of the battery producer responsibility program, with specified information, in order for DEQ to determine whether the program has complied with the provisions of the measure. The bill authorizes DEQ to impose civil penalties ranging

from \$500 to \$10,000 per day for violations of the provisions of the bill. The bill directs DEQ to provide a report to the interim committees of the Legislature related to the environment, no later than May 30, 2028, on whether products or batteries not covered by the program should be covered at a later date, and include an assessment of similar programs carried out in Illinois, Vermont, and Washington.

House Bill 4144 increases Other Funds expenditure limitation by \$142,317 for DEQ and establishes one permanent, full-time Program Analyst 3 position (0.50 FTE) to lead rulemaking, stakeholder engagement, program development, ongoing oversight, and preparation of the legislative report.

DETAIL OF JOINT COMMITTEE ON WAYS AND MEANS ACTION

Department of Environmental Quality
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DESCRIPTION	GENERAL FUND	LOTTERY FUNDS	OTHER FUNDS		FEDERAL FUNDS		TOTAL ALL FUNDS	POS	FTE
			LIMITED	NONLIMITED	LIMITED	NONLIMITED			
<u>SUBCOMMITTEE ADJUSTMENTS</u>									
SCR 003 - Land Quality									
Personal Services	\$ -	\$ -	\$ 128,037	\$ -	\$ -	\$ -	\$ 128,037	1	0.50
Services and Supplies	\$ -	\$ -	\$ 14,280	\$ -	\$ -	\$ -	\$ 14,280		
SUBCOMMITTEE RECOMMENDATION *	\$ -	\$ -	\$ 142,317	\$ -	\$ -	\$ -	\$ 142,317	1	0.50
% Change from 2025-27 Leg Approved Budget	0.0%	0.0%	100.0%	0.0%	0.0%	0.0%	100.0%	100.0%	100.0%

*Excludes Capital Construction Expenditures