

Requested by Representative SCHARF

**PROPOSED AMENDMENTS TO
HOUSE BILL 4030**

1 On page 1 of the printed bill, line 2, delete “amending ORS 459A.863;”.

2 Delete lines 5 through 28 and delete pages 2 through 4.

3 On page 5, delete lines 1 through 43 and insert:

4 **“SECTION 1. (1) As used in this section, ‘packaging,’ ‘producer’ and**
5 **‘producer responsibility organization’ have the meanings given those**
6 **terms in ORS 459A.863.**

7 **“(2) Notwithstanding ORS 459A.860 to 459A.975, until a final resol-**
8 **ution of National Association of Wholesaler-Distributors v. Feldon,**
9 **D. Or. Case No. 3:25-cv-1334-SI, is reached:**

10 **“(a) The Department of Environmental Quality may not enforce**
11 **any provision of ORS 459A.860 to 459A.975, or rules adopted thereunder,**
12 **against a producer of packaging. The department shall stay any**
13 **enforcement action initiated by the department against a producer of**
14 **packaging before the effective date of this 2026 Act.**

15 **“(b) A producer responsibility organization may not, with respect**
16 **to a producer of packaging, require the producer to pay fees estab-**
17 **lished under ORS 459A.884, assess any penalty or interest for the fail-**
18 **ure to pay fees established under ORS 459A.884 or allow any previously**
19 **assessed penalties or interest to continue to accrue.”.**