

## EPR Packaging Bills Introduced to States

As states struggle with how to manage packaging waste, many have made the push towards Extended Producer Responsibility (EPR) regulations that move the cost of waste handling from communities to manufacturers. Packaging EPR legislation is currently taking shape in numerous states from the west coast to the east coast. This is an important issue for retail, as many of the bills include requirements that retailers will need to be aware of or implement.

An overview of recently introduced state EPR legislation is shown in the table below.

Several organizations have created their own framework or industry viewpoint on packaging EPR. Below is a list of current organizations working on this topic. Viewpoints in these documents do not necessarily reflect those of RILA and should be viewed for informational purposes only.

- AMERIPEN (May 2020): [Financing Principles and Objectives for Advancing Packaging Recycling in the U.S.](#)
- Consumer Goods Forum Whitepaper (Aug. 2020): [Building a Circular Economy for Packaging: A View from the Consumer Goods Industry on Optimal EPR](#)
- The Recycling Partnership Circular Economy Accelerator Whitepaper (Sept. 2020): [Accelerating Recycling: Policy to Unlock Supply for the Circular Economy](#)
- UL and Retail Council of Canada Packaging EPR Whitepaper (Oct. 2020): [Trends in Packaging Extended Producer Responsibility \(EPR\) – A Retailer’s Perspective](#)
- Product Stewardship Institute (PSI) and Flexible Packaging Association (Dec. 2020): [Shared Elements of EPR Legislation for Packaging and Paper Products \(PPP\)](#)
- The Recycling Leadership Council (Feb. 2021): [Blueprint for America’s Recycling System](#)
- Ellen MacArthur Foundation (June 2021): [Extended Producer Responsibility: A Necessary Part of the Solution to Packaging Waste and Pollution](#)
- Sustainable Packaging Coalition (July 2021): [Guide to EPR Proposals](#)
- The Recycling Partnership (March 2022): [Guidance for Producer Funded Recycling Collection Legislation](#)

State	Status	Summary of Requirement
<p><b>California</b></p>	<p>From committee: Filed with the Chief Clerk pursuant to Joint Rule 56.</p> <p>2/1/22</p>	<p><b>AB-842 California Circular Economy and Plastic Pollution Reduction Act. (AB-842)</b></p> <p>As amended 3/22/21, creates the California Circular Economy and Plastic Pollution Reduction Act. Requires producers of single-use packaging and products to form or join a stewardship organization for the source reduction, collection, and recycling of such items. Requires stewardship groups to recycle 75% of product by 2032. Directs CalRecycle to establish list of "hard to recycle" items to be designated with specified codes. Requires single-use packaging and single-use products sold in CA by 2035 to include 75% post-consumer recycled content.</p> <p>3/22/21 version no longer requires stewardship organizations to charge members a 1-cent fee on each unit of single-use item. Instead, requires stewardship organization to devise own funding mechanism.</p> <p><b>Materials covered:</b> single-use plastic packaging and products</p> <p><a href="#">Link to Text</a></p>
<p><b>California</b></p>	<p>Read second time. Ordered to third reading.</p> <p>5/11/21</p>	<p><b>Solid waste: disposable packaging and food ware (SB 54)</b></p> <p>This bill would declare the intent of the Legislature to enact the Plastic Pollution Producer Responsibility Act, which would look to achieve a 75% source reduction, recycling, and reuse goal in part by making businesses financially responsible for management and recovery of plastic waste.</p> <p><b>Materials covered:</b> disposable packaging and foodware</p> <p><a href="#">Link to Text</a></p>

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<p><b>California</b></p>	<p>Read third time. Refused passage.  6/03/21</p>	<p><b>Recycling: plastic: packaging and carryout bags (AB-1371)</b></p> <p>Prohibits online retailers that sell and deliver purchased products into the state from using single-use plastic packaging or expanded polystyrene packaging to cushion or transport the products. Requires online sellers with at least one physical store to provide plastic take back containers to receive plastic packaging and film and expanded polystyrene.</p> <p><b>Materials covered:</b> single-use plastic packaging and expanded polystyrene packaging</p> <p><a href="#">Link to Text</a></p>
<p><b>Colorado</b></p>	<p>Re-engrossed  5/19/21</p>	<p><b>Recycling and Composting Enterprise Grant Program (SB21-180)</b></p> <p>As amended 5/18/21, creates a study committee on recycling. Requires a report to the legislature by July 1, 2022, with policy and legislative recommendations on the feasibility of implementing post-consumer recycled content requirements for packaging.</p> <p><b>Materials covered:</b> packaging</p> <p><a href="#">Link to Text</a></p>
<p><b>Connecticut</b></p>	<p>2/25/22  (J) Hearing Scheduled Environment Committee</p>	<p><b>An Act Concerning Extended Producer Responsibility for Consumer Packaging (SB- 115)</b></p> <p>Establishes a product stewardship program for the collection and recycling of packaging, packaging-like products, and paper. Requires responsible parties to register with the Dept. of Energy and Environmental Protection, and orders DEEP to establish reasonable fees for administering the program.</p> <p><b>Materials Covered:</b> packaging, packaging-like products, and paper</p> <p><a href="#">Link to Text</a></p>

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<p><b>Delaware</b></p>	<p>Signed by Mayor  7/07/21</p>	<p><b>Statewide Solid Waste Management Plan (DE Admin. Code 502)</b></p> <p>Adopts a new Statewide Solid Waste Management Plan to replace, in its entirety, the 2015 plan. The Plan provides a framework to maximize recycling and diversion of materials from landfill disposal, and to advance sustainable materials management practices. The plan retains sections expressing support for extended producer responsibility, reduction of single-use product waste, and packaging waste reduction. The new plan adds language expressing support for "Right to Repair laws to extend the responsibility and complement EPR systems by requiring electronics (or other) producers to make available the knowledge and tools needed to repair and refurbish their devices."</p> <p><b>Materials covered:</b> solid waste, single-use products, packaging</p> <p><a href="#">Link to Text</a></p>
<p><b>District of Columbia</b></p>	<p>Passed final reading. On to mayoral review.  5/04/21</p>	<p><b>Comprehensive Plan Amendment Act of 2020 (B24-0001)</b></p> <p>As amended 5/4/21, revises the city's Comprehensive Plan, which is intended to serve as 20-year planning guide, but does not contain specific proposals to be implemented. The amended Plan includes section (Sec. 613.9) to promote expansion of the city's current product stewardship program to include pharmaceuticals, textiles, plastic bottles, and durable goods. The city's existing EPR program applies only to e-waste and paint.</p> <p><b>Materials covered:</b> pharmaceuticals, textiles, plastic bottles, and durable goods.</p> <p><a href="#">Link to Text</a></p>
<p><b>Hawaii</b></p>	<p>The committee(s) on EEP recommend(s) that the measure be deferred.  2/3/2022</p>	<p><b>Relating to Recycling (HB 1684)</b></p> <p>Establishes a product stewardship program for packaging material. Defines "packaging material" as discrete types of material with similar management requirements and similar commodity values, used for the containment, protection, delivery, presentation, or distribution of a product. Excludes beverage containers. Excludes producers of packaging material with less than \$2 million gross revenue during previous year, or those using less than one ton of packaging material in total. Beginning one year after bill becomes effective, prohibits sale of goods that use packaging material unless producers participate in stewardship program.</p> <p><b>Materials Covered:</b> Packaging material. Excludes beverage containers.</p> <p><a href="#">link to Text</a></p>

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Hawaii	<p>(S) Report adopted; Passed Second Reading, as amended (SD 1) and referred to WAM.</p> <p>(S) Reported from AEN/EET (Stand. Com. Rep. No. 3491) with recommendation of passage on Second Reading, as amended (SD 1) and referral to WAM.</p> <p>3/24/22</p>	<p><b>Relating to Waste Management (HB 2399 (=SB 3246))</b></p> <p>As amended 3/24/22, establishes an extended producer responsibility program for "fast-moving" consumer goods, which includes any non-durable consumer good that is sold in packaged used for the containment, protection, handling, delivery, and presentation of a product that is sold, imported, or distributed in Hawaii. The EPR program requirements are applicable only to companies that produce more than 10,000 metric tons of packaging internationally, or that have international gross sales of fast-moving consumer goods of more than \$500 million. Effective 7/1/2100. (SD1)</p> <p>As passed by House in HD1, the bill also established goals to reduce packaging waste by 50% by 2026, and 80% by 2030. These yearly goals are left blank in SD1.</p> <p><b>Materials Covered:</b> packaging</p> <p><a href="#">Link to Text</a></p>
Hawaii	<p>Re-Referred to AEN</p> <p>3/19/21</p>	<p><b>Requesting the Department of Health Environmental Management Division to Conduct a Study on the Benefits and Costs to Implement Extended Producer Responsibility in the State (SR 73 (=SCR 94))</b></p> <p>Resolution for a study on the costs and benefits of implementing an extended producer responsibility program in Hawaii.</p> <p><b>Materials covered:</b> packaging</p> <p><a href="#">Link to Text</a></p>
Hawaii	<p>Report adopted. Referred to EEP and FIN.</p> <p>3/24/21</p>	<p><b>Requesting the Department of Health Environmental Management Division to Conduct a Study on the Benefits and Costs to Implement Extended Producer Responsibility in the State (HR65 (=HCR 77))</b></p> <p>Resolution for a study on the costs and benefits of implementing an extended producer responsibility program in Hawaii.</p> <p><b>Materials covered:</b> packaging</p> <p><a href="#">Link to Text</a></p>

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<p><b>Hawaii</b></p>	<p>Passed second reading and referred to EEP, CPC, and FIN.  2/12/21</p>	<p><b>Relating to Packaging Waste (HB 1316)</b> Creates an extended producer responsibility program for paper and packaging sold or supplied to consumers in Hawaii.  <b>Materials Covered:</b> paper and packaging products  <a href="#">Link to Text</a></p>
<p><b>Hawaii</b></p>	<p>Referred to EEP, HET, and FIN.  2/1/21</p>	<p><b>Relating to Waste Management (HB 1305)</b> Requires the University of Hawaii economic research organization to conduct a comprehensive study and submit a report to the legislature about a policy approach that encourages manufacturers to take on the costs of end-of-life product management.  <b>Materials covered:</b> carpet, electronics, packaging and batteries  <a href="#">Link to Text</a></p>
<p><b>Hawaii</b></p>	<p>Re-Referred to JDC.  2/16/21</p>	<p><b>Relating to Product Stewardship Programs (SB 1419)</b> Establishes a municipal product stewardship program for packaging, paper products, and containers. Applies to producers of any part of a package or container used for the handling, delivery, and presentation of a product sold or imported in Hawaii.  <b>Materials covered:</b> all primary, secondary, and tertiary packaging intended for consumers; carry-out bags, prescription bottles, printed materials, and beverage containers  <a href="#">Link to Text</a></p>
<p><b>Illinois</b></p>	<p>Referred to Assignments.  1/21/2022</p>	<p><b>Plastic Recycle Modernization (SB 3953)</b>  Creates an extended producer responsibility program for packaging and paper products. Requires producers of paper products and packaging to register with the state and join a producer responsibility program. Exempts nonprofits, public business with under \$5 million in revenue, restaurants, single store operations, and other small producers. Establishes the Truth in Labeling Task Force to study and evaluate misleading or confusing claims regarding the recyclability of products or packaging.  <b>Materials covered:</b> packaging and paper products  <a href="#">Link to Text</a></p>

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Kentucky	<p>Introduced in House to Committee on Committees (H)</p> <p>1/4/2022</p>	<p><b>AN ACT relating to solid waste and making an appropriation therefor (HB 108)</b></p> <p>Establishes the Kentucky Packaging Stewardship Program. Directs the Energy &amp; Environment to adopt rules to implement the program, establish waste reduction targets, impose fees, and make plastic wastes the highest priority of the extended producer responsibility program. Provides that reduction targets shall consider the amount of phthalates, PFAS, or micro plastic waste that will be avoided by imposition of the target. Defines "packaging material", "plastic material", and "producer" of packaging waste.</p> <p><b>Materials covered:</b> packaging</p> <p><a href="#">Link to Text</a></p>
Maine	<p>Signed by the Governor</p> <p>7/12/21</p>	<p><b>An Act to Support and Improve Municipal Recycling Programs and Save Taxpayer Money (LD 1541)</b></p> <p>Establishes a stewardship program in the State for packaging material, to be operated by a stewardship organization contracted by the Department of Environmental Protection following a competitive bidding process. Under the program, producers of products contained, protected, delivered, presented or distributed in or using packaging material pay into a fund based on the amount by weight of packaging material associated with the products they sell, offer for sale or distribute for sale in or into the State.</p> <p><b>Materials covered:</b> packaging</p> <p><a href="#">Link to Text</a></p>
Maine	<p>Both houses voted to not pass.</p> <p>6/16/21</p>	<p><b>An Act to Establish a Stewardship Program for Packaging (LD 1471)</b></p> <p>Creates a stewardship program for packaging material, beginning Oct. 1, 2023. Defines "packaging material" to mean the material used for or associated with the containment, protection, delivery, presentation or distribution of a covered product at the time the covered product is received by the consumer of a product for sale at retail or delivered to a consumer's residence.</p> <p><b>Materials covered:</b> packaging materials</p> <p><a href="#">Link to Text</a></p>
Maryland	<p>Referred to Environment and Transportation Committee.</p>	<p><b>Environment – Packaging, Containers and Paper Products – Producer Responsibility (HB 36)</b></p> <p>Establishes product stewardship plan requirements for manufacturers of paper products, packaging, or containers. Requires covered product producers to submit plans, either individually or as part of a stewardship program, to the Dept. of Environmental Protection for the recovery of materials.</p>

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	1/26/21	<p><b>Materials covered:</b> beverage containers, carryout bags, bulk goods bags, take-out and food delivery service packaging, prescription bottles, paper products, and printed material</p> <p><a href="#">Link to Text</a></p>
<b>Maryland</b>	Hearing scheduled in Finance committee.  2/17/22	<p><b>Environment - Packaging Materials - Producer Responsibility (SB 292)</b></p> <p>Requires producers of packaging material to submit a producer responsibility plan to the Dept. of the Environment for approval by April 1, 2024. "Producers" includes: 1) a person that uses packaging materials in the sale of distribution of products under the person's own brand; 2) a licensee of a trademark under which a packaging material is sold, distributed, or used in commerce; or 3) an importer of a product that includes packaging material and that is offered sale or distribution in Maryland. No producer will be allowed sell a product in the state without an approved responsibility plan by Oct 1, 2024. Applies only to producers with gross revenue over \$1 million.</p>
<b>Massachusetts</b>	2/7/22 (H) Reporting date extended to Thursday March 31, 2022, pending concurrence  3/3/22 (S) Senate concurred	<p><b>An Act to Save Recycling Costs in the Commonwealth (S610)</b></p> <p>Establishes extended producer responsibility program requirements for producers, including manufacturers and sellers, of any packaging material or paper products sold, offered for sale, or distributed in Massachusetts, including through an internet transaction. Requires producers to join producer responsibility organizations to provide for the collection of paper and packaging materials.</p> <p><b>Materials covered:</b> packaging materials and paper products</p> <p><a href="#">Link to Text</a></p>
<b>Massachusetts</b>	Referred to the committee on Environment, Natural Resources and Agriculture.  3/29/21	<p><b>An Act Establishing the Commission on Extended Producer Responsibility (H948)</b></p> <p>Establishes a special commission, referred to as the commission on extended producer responsibility, to study and report on implementing extended producer responsibility laws.</p> <p><b>Materials covered:</b> consumer packaging and printed materials, and other materials such as paint, electronics, carpet, etc.</p> <p><a href="#">Link to Text</a></p>
<b>Massachusetts</b>	(H) Reporting date extended to Thursday March 31, 2022, pending concurrence 2/7/2022	<p><b>An Act to Save Recycling Costs in the Commonwealth (HB 878 = SB517)</b></p> <p>Establishes extended producer responsibility program requirements for producers, including manufacturers and sellers, of any packaging material or paper products sold, offered for sale, or distributed in Massachusetts, including</p>



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	(S) Senate concurred 3/3/2022	<p>through an internet transaction. Requires producers to join producer responsibility organizations to provide for the collection of paper and packaging materials.</p> <p><b>Materials covered:</b> packaging materials and paper products</p> <p><a href="#">Link to Text</a></p>
Massachusetts	<p>(H) Reporting date extended to Thursday March 31, 2022, pending concurrence 2/7/22</p> <p>(S) Senate concurred 3/3/22</p>	<p><b>An Act to Save Recycling Costs in the Commonwealth (SB517 = HB 878)</b></p> <p>Establishes extended producer responsibility program requirements for producers, including manufacturers and sellers, of any packaging material or paper products sold, offered for sale, or distributed in Massachusetts, including through an internet transaction. Requires producers to join producer responsibility organizations to provide for the collection of paper and packaging materials.</p> <p><b>Materials covered:</b> packaging materials and paper products</p> <p><a href="#">Link to Text</a></p>
Massachusetts	(S) Senate concurred 3/3/22	<p><b>An Act to Save Recycling Costs in the Commonwealth (SB 610)</b></p> <p>Establishes extended producer responsibility program requirements for producers, including manufacturers and sellers, of any packaging material or paper products sold, offered for sale, or distributed in Massachusetts, including through an internet transaction. Requires producers to join producer responsibility organizations to provide for the collection of paper and packaging materials.</p> <p><b>Materials covered:</b> Packaging and paper products. Paper products include paper that can or has been printed on including flyers, brochures, booklets, catalogues, greeting cards, telephone directories, newspapers, magazines, paper used for copying, writing or any other general use.</p> <p><a href="#">Link to Text</a></p>

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<p><b>Massachusetts</b></p>	<p>Referred to the committee on Environment, Natural Resources and Agriculture.</p> <p>3/29/21</p>	<p><b>An Act to Save Recycling Costs in the Commonwealth (H.878)</b></p> <p>Establishes extended producer responsibility program requirements for producers, including manufacturers and sellers, of any packaging material or paper products sold, offered for sale, or distributed in Massachusetts, including through an internet transaction. Requires producers to join producer responsibility organizations to provide for the collection of paper and packaging materials.</p> <p><b>Materials covered:</b> Packaging and paper products. Paper products include paper that can or has been printed on including flyers, brochures, booklets, catalogues, greeting cards, telephone directories, newspapers, magazines, paper used for copying, writing or any other general use.</p> <p><a href="#">Link to Text</a></p>
<p><b>Massachusetts</b></p>	<p>Referred to the committee on Environment, Natural Resources and Agriculture.</p> <p>3/29/21</p>	<p><b>An Act Establishing the Commission on Extended Producer Responsibility (HD.948)</b></p> <p>Establishes a special commission, referred to as the commission on extended producer responsibility, to study and report on implementing extended producer responsibility laws.</p> <p><b>Materials covered:</b> Leftover paint, electronics, pesticides, household batteries, fluorescent lamps, phone books, carpet, medical sharps, consumer packaging and printed materials, pharmaceuticals, tires and mercury thermostats.</p> <p><a href="#">Link to Text</a></p>
<p><b>Minnesota</b></p>	<p>Introduction and first reading, referred to Environment and Natural Resources Finance and Policy</p> <p>3/10/22</p> <p>Author added Berg</p> <p>3/28/22</p>	<p><b>A bill for an act relating to solid waste; establishing product stewardship program for packaging materials; establishing labeling requirements; requiring reports; requiring rulemaking; proposing coding for new law in Minnesota Statutes, chapter 115A. (HF 4132)</b></p> <p>Establishes a product stewardship program for packaging materials, including packaging of products sold or distributed through Internet transactions. Packaging materials includes bags and secondary or transport packaging, but does not include beverage containers. Orders the Pollution Control Agency to set fees based on the type of packaging material used. Requires producers to reduce the amount of nonreusable packaging across its brand according by 10% two years after the program takes effect; 20% after 4 years; 30% after 6 years; and 50% after 10 years. Also, prohibits use of packaging that contain PFAS, bisphenols, phthalates, halogenated flame retardants, cadmium, and other of other toxic chemicals, After 1 year, bans polystyrene. Requires product labels to include percentage of postconsumer recycled material in the packaging.</p> <p><b>Materials covered:</b> packaging materials including bags and secondary or transport packaging. Excludes beverage containers.</p> <p><a href="#">Link to Text</a></p>

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New Jersey	<p>Introduced, Referred to Assembly Environment and Solid Waste Committee</p> <p>1/11/22</p>	<p><b>Requires producers of packaging products sold in New Jersey to adopt and implement packaging product stewardship plans (S 426)</b></p> <p>Requires producers of packaging products to adopt and implement stewardship plans. Defines "packaging products" to mean any product or material that is designed and used for the containment, protection, handling, delivery, or presentation of another product that is sold, imported, or distributed in NJ.</p> <p><b>Materials covered:</b> primary, secondary, and tertiary packaging; carry-out bags, bulk goods bags, take-out bags, home delivery food service packaging; prescription bottles; beverage containers; ancillary elements attached to another product and serve a packaging function; and any other product, whether constituted of paper, plastic, glass, metal, that serves a packaging function.</p> <p><a href="#">Link to Text</a></p>
New York	<p>Referred to Ways and Means</p> <p>1/19/2022</p> <p>(A) PRINT NUMBER 9008B (A) AMEND (T) AND RECOMMIT TO WAYS AND MEANS 3/12/22</p>	<p><b>Budget bill for transportation, economic development, and environmental conservation (AB 9008)</b></p> <p>As amended 3/12/22, budget bill; NO LONGER RELEVANT.</p> <p>No longer includes sections from 2/22/22 version, which included section (Part RR) establishing the "Extended Producer Responsibility Act", to require producers of packaging or paper products to join stewardship organization by April 1, 2026, in order to sell products in New York. Also, creates the "Toxics in Packaging Act" to ban the distribution of a package, packaging component, or product with packaging, that contains lead, cadmium, mercury, hexavalent chromium, or phthalates above 100 ppm. Beginning Dec. 31, 2022, bans food packaging that contains PFAS; beginning Dec. 31, 2024, bans PFAS in any packaging (Part SS); amends state building code to require new construction statewide to have zero onsite greenhouse gas emissions by 2027 (Part. EEE).</p> <p><b>Materials covered:</b> packaging or paper products; a package, packaging component, or product with packaging, that contains lead, cadmium, mercury, hexavalent chromium, or phthalates above 100 ppm; packaging that contains PFAS</p> <p><a href="#">Link to Text</a></p>

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New York	Referred to Environmental Conservation Committee  1/5/22	<p><b>An act to amend the environmental conservation law, in relation to establishing the extended producer responsibility act (S1185C)</b></p> <p>As amended 5/19/21, establishes an extended producer responsibility program for containers, packaging, paper products, and single-use plastics. Requires producers of such products or packaging to belong to product stewardship organization and pay fees, including online sellers.</p> <p><b>Materials covered:</b> containers, packaging, paper products, and single-use plastics. Containers and packaging includes all flexible, foam, or rigid material, including but not limited to paper, carton, plastic, glass, or metal. Excludes beverage containers and medical products. Paper products subject to the program include package containers, flyers, and brochures, but excludes books. Single-use plastics subject to the program includes plastic straws, cups, utensils, and bags.</p> <p><a href="#">Link to Text</a></p>
New York	Signed by Governor  4/19/21	<p><b>Enacts into law major components of legislation necessary to implement the state transportation, economic development and environmental conservation budget for the 2021-2022 state fiscal year (SB2508B)</b></p> <p>Budget bill; as amended 3/13/21, includes section establishing the Extended Producer Responsibility Act (Part CCC). Requires producers to join a producer responsibility organization in order to sell products in the state. Takes effect 4 years from enactment.</p> <p><b>Materials covered:</b> Consumer product containers, packaging, or paper, and single-use plastic items such as straws, utensils, cups, plates, and plastic bags.</p> <p><a href="#">Link to Text</a></p>
New York	Signed by Governor  4/19/21	<p><b>Enacts into law major components of legislation necessary to implement the state transportation, economic development and environmental conservation budget for the 2021-2022 state fiscal year (AB3008C)</b></p> <p>Budget bill; as amended 3/13/21, includes section establishing the Extended Producer Responsibility Act (Part CCC). Requires producers to join a producer responsibility organization in order to sell products in the state. Takes effect 4 years from enactment.</p> <p><b>Materials covered:</b> Consumer product containers, packaging, or paper, and single-use plastic items such as straws, utensils, cups, plates, and plastic bags.</p>

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New York	Referred to Environmental Conservation  2/25/21	<p><b>Establishes the extended producer responsibility act requiring covered materials and product producers to develop and implement strategies to promote recycling, reuse and recovery of packaging and paper products (AB5801)</b></p> <p>Establishes an extended producer responsibility program for all packaging and containers made of paper, plastic, glass, metal, or carton material. Within 3 years of bill taking effect, requires producers of products that include packaging to belong to product stewardship organization and pay fees, including online sellers.</p> <p><b>Materials covered:</b> packaging and containers made of paper, plastic, glass, metal, or carton material. Includes all types of paper products, including flyers and brochures, and all types of plastics, including PET plastics, BPA, PVC, polystyrene, flexible and rigid plastics.</p> <p><a href="#">Link to Text</a></p>
New York	Committed to Rules  6/10/21	<p><b>An act to amend the environmental conservation law, in relation to establishing the extended producer responsibility act (SB 1185C)</b></p> <p>As amended 1/27/21, establishes an extended producer responsibility program for paper and packaging, which will create a circular economy for recycling. Within 3 years of bill taking effect, requires producers of products that include packaging to belong to product stewardship organization and pay fees, including online sellers.</p> <p><b>Materials covered:</b> All packaging and containers made of paper, plastic, glass, metal, or carton material. Includes all types of paper products, including flyers and brochures, and all types of plastics, including PET plastics, BPA, PVC, polystyrene, flexible and rigid plastics.</p> <p><a href="#">Link to Text</a></p>
New York	Referred to Environmental Conservation  1/27/21	<p><b>An act to amend the environmental conservation law, in relation to requiring manufacturers of consumer goods to accept for collection, handling and recycling or reuse, consumer good waste for which it is the manufacturer (AB 3580)</b></p> <p>Requires manufacturers of consumer goods to accept for collection, handling and recycling or reuse, consumer goods waste for which it is the manufacturer. Requires manufacturers of consumer goods to provide a consumer goods waste acceptance program and be responsible for all costs associated with the implementation of such program.</p> <p><b>Materials covered:</b> Consumer goods or any goods purchased or leased for personal or household use.</p>

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North Carolina	Referred to Committee on Rules, Calendar, and Operations of the House  5/12/21	<p><b>Ban Single-Use and Non-Recyclable Products (H959)</b></p> <p>Prohibits the use of non-recyclable, non-compostable, or single-use plastic food service ware. Expands the plastic bag ban, currently in effect only in coastal counties, to a statewide bag ban. Directs the Dept. of Environmental Quality to study and propose legislation, by March 1, 2022, creating a product stewardship program for single-use plastic products.</p> <p><b>Materials covered:</b> Single-use products</p> <p><a href="#">Link to Text</a></p>
Oregon	Referred to Ways and Means  4/16/21	<p><b>Relating to claims about the recyclability of products; prescribing an effective date (SB 581)</b></p> <p>Prohibits sale of products that make deceptive or misleading claims about recyclability. Directs Environmental Quality Commission to adopt rules for products that make claims about recyclability. Permits Department of Environmental Quality or any other person to bring action enforcing prohibition on sale of deceptive or misleading products.</p> <p><b>Materials Covered:</b> Any item sold in the state, the packaging of the item or the material used to make the item or packaging.</p> <p><a href="#">Link to Text</a></p>
Oregon	Signed by both houses  6/26/21	<p><b>Relating to modernizing Oregon's recycling system (SB 582)</b></p> <p>Creates a producer responsibility program for packaging, printing and writing paper, and food serviceware. Requires producers of covered products to join producer responsibility organization that implements DEQ-approved EPR program. Directs DEQ to establish uniform statewide collection list for recyclable materials.</p> <p><b>Materials covered:</b> packaging, printing and writing paper, and food serviceware</p> <p><a href="#">Link to Text</a></p>
Oregon	In committee upon adjournment  6/26/21	<p><b>Relating to modernizing Oregon's recycling system (HB 2065)</b></p> <p>Requires producers of covered products to join producer responsibility organization unless exempt. Requires producer responsibility organization to submit program plan to Department of Environmental Quality. Requires producer responsibility organizations to reimburse local governments for certain expenses. Establishes Oregon Recycling System Advisory Council. Directs department to establish uniform statewide collection list. Establishes Producer Responsibility</p>

State	Status	Summary of Requirement
		<p>Fund. Establishes Waste Prevention and Reuse Fund. Prohibits sale in this state of products with deceptive or misleading claims about recyclability. Requires commingled recycling processing facility to obtain disposal site permit.</p> <p><b>Materials covered:</b> packaging, printing and writing paper, food serviceware, paper or plastic plates, cups, bowls, cutlery or straws, aluminum foil, and pie plates.</p> <p><a href="#">Link to Text</a></p>
<p><b>Oregon</b></p>	<p>In committee upon adjournment</p> <p>6/26/21</p>	<p><b>Relating to extended producer responsibility programs (SB 2592)</b></p> <p>Creates extended producer responsibility requirements for packaging, food serviceware, and printing and writing paper. Requires producers to form or join extended producer responsibility program. Prohibits sale of products that make deceptive or misleading claims about recyclability. Requires commingled recycling processing facility to obtain disposal site permit. Requires EPR organization to implement program by July 1, 2025.</p> <p><b>Materials covered:</b> packaging, printing and writing paper, food serviceware, paper or plastic plates, cups, bowls, cutlery or straws, aluminum foil, and pie plates.</p> <p><a href="#">Link to Text</a></p>
<p><b>Oregon</b></p>	<p>In committee upon adjournment</p> <p>6/26/21</p>	<p><b>Relating to plastic, prescribing an effective date (SB 14)</b></p> <p>Establishes product stewardship program for plastic packaging and plastic food serviceware. Establishes Plastics Stewardship Fund. Continuously appropriates moneys in fund to Department of Environmental Quality for purposes of Act. Imposes penalty for violation by manufacturer or stewardship organization of program provisions not to exceed \$10,000 per day; fine for retailer not to exceed \$100 per day for each day of violation.</p> <p><b>Materials covered:</b> plastic packaging and plastic food serviceware</p> <p><a href="#">Link to Text</a></p>
<p><b>Pennsylvania</b></p>	<p>Referred to Environmental Resources and Energy</p> <p>9/16/21</p>	<p><b>An Act providing for the sale and recycling of covered products; imposing duties on the Department of Environmental Protection; and providing for registration of manufacturers (HB 1873)</b></p> <p>Establishes an extended producer responsibility program for containers and packaging, as well as paper products. Containers and packaging includes all flexible or rigid material, including, but not limited to paper, carton, plastic, glass or metal. Paper products excludes books and newspapers. Requires manufacturers of covered products to register with the state and prohibits retailers from selling products from brands that have not registered within 12 months. Requires manufacturers to pay annual \$5000 registration fee and to establish program for the collection, transportation, and recycling of covered products.</p>

State	Status	Summary of Requirement
		<p><b>Materials covered:</b> All flexible or rigid material, including, but not limited to paper, carton, plastic, glass or metal. Excludes books and newspapers.</p> <p><a href="#">Link to Text</a></p>
<p><b>Rhode Island</b></p>	<p>S) Hearing Scheduled - Senate Committee on Environment &amp; Agriculture</p> <p>3/30/22</p>	<p><b>Relating to Health and Safety – Extended Producer Responsibility for Packaging (S 2296)</b></p> <p>Creates the "Extended Producer Responsibility for Packaging Act" to require producers to make necessary changes to their product design(s) to reduce packaging consumption and waste, and assess fees based on the packaging. Establishes the producer responsibility organization to administer the producer responsibility program. The Dept. of Environmental Management would promulgate rules and regulations to implement the program.</p> <p><b>Materials covered:</b> Packaging material</p> <p><a href="#">Link to Text</a></p>
<p><b>Rhode Island</b></p>	<p>(H) Hearing Scheduled - House Committee on Environment and Natural Resources Committee recommended measure be held for further study</p> <p>2/17/22</p>	<p><b>Relating to Health and Safety- Extended Producer Responsibility for Packaging (HB 7279)</b></p> <p>Creates the "Extended Producer Responsibility for Packaging Act" to require producers to make necessary changes to their product design(s) to reduce packaging consumption and waste, and assess fees based on the packaging. Establishes the producer responsibility organization to administer the producer responsibility program. The Dept. of Environmental Management would promulgate rules and regulations to implement the program.</p> <p><b>Materials covered:</b> Packaging</p> <p><a href="#">Link to Text</a></p>
<p><b>Vermont</b></p>	<p>Read 1st time &amp; referred to Committee on Natural Resources and Energy</p> <p>1/12/22</p>	<p><b>An act relating to extended producer responsibility for packaging and paper products (S.236)</b></p> <p>Establishes and extended producer responsibility program for packaging and paper products. Requires responsible party to register with the Secy. of Natural Resources and join a stewardship organization implementing an approved program plan for the collection of covered materials. Includes any container, packaging, or paper materials used in the consumer market for the handling, delivery, or presentation of goods. "Covered materials" also includes single-use food service ware but excludes items unsanitary items.</p> <p><b>Materials covered:</b> Any container, packaging, or paper materials used in the consumer market for the handling, delivery, or presentation of goods. Includes single-use food service ware, but excludes unsanitary items.</p> <p><a href="#">Link to Text</a></p>



State	Status	Summary of Requirement
Virginia	(H) Left in Agriculture, Chesapeake and Natural Resources  2/15/22	<p><b>Packaging Stewardship Program and Fund; established. (HB 709)</b></p> <p>Establishes the Packaging Stewardship Program (the Program), administered by the Department of Environmental Quality. Under the Program, a producer that sells products with packaging materials in the Commonwealth pays a fee to the Department based upon the amount of packaging used and whether or not it is easily recyclable. A producer may establish an alternative collection program to offset some or all of the fees. The fees are paid into the Packaging Stewardship Fund, established in the bill, and are used to reimburse participating localities for expenses related to recycling, invest in recycling infrastructure and education, and pay administrative costs related to the Program. The bill authorizes the Department to contract with a third party to administer the Program.</p> <p><b>Materials covered:</b> Packaging materials</p> <p><a href="#">Link to Text</a></p>
Virginia	(H) Left in Agriculture, Chesapeake and Natural Resources  2/15/22	<p><b>Packaging Stewardship Program and Fund; established. (HB 918)</b></p> <p>Establishes the Packaging Stewardship Program (the Program), administered by the Department of Environmental Quality. Under the Program, a producer that sells products with packaging materials in the Commonwealth pays a fee to the Department based upon the amount of packaging used and whether or not it is easily recyclable. A producer may establish an alternative collection program to offset some or all of the fees. The fees are paid into the Packaging Stewardship Fund, established in the bill, and are used to reimburse participating localities for expenses related to recycling, invest in recycling infrastructure and education, and pay administrative costs related to the Program. The bill authorizes the Department to contract with a third party to administer the Program.</p> <p><b>Materials covered:</b> Materials used for the containment, protection, delivery, presentation, or distribution of a product, including a product sold over the Internet, at the time that the product leaves a point of sale with or is received by the consumer. Excludes beverage containers, packaging intended for long-term use, and paint cans.</p> <p><a href="#">Link to Text</a></p>
Virginia	(H) Left in Agriculture, Chesapeake and Natural Resources  2/15/22	<p><b>Packaging Stewardship Program and Fund; established. (HB 647)</b></p> <p>Creates a packaging stewardship program, which would require a producer that sells products with packaging materials to pay a fee to DEQ based upon the amount of packaging used and whether or not it is easily recyclable. A producer may establish an alternative collection program to offset some or all of the fees. The fees are paid into the Packaging Stewardship Fund, which is used to reimburse participating localities. Also, establishes a Stewardship Advisory Committee.</p> <p><b>Materials covered:</b> packaging material</p> <p><a href="#">Link to Text</a></p>

State	Status	Summary of Requirement
Washington	Hearing Scheduled - Ways & Means  2/5/22	<p><b>Renewing Washington's recycling system and reducing waste. (HB 2003=SB 5697)</b></p> <p>Creates product stewardship program for packaging and paper products. Requires producers of paper products or packaging sold or supplied to consumers in Washington to join a producer responsibility organization, beginning Jan. 15, 2023. Also, establishes recycled content requirements for single-use plastic cups, polypropylene tubs, and PET thermoform plastic containers. Requires producers of single-use plastic cups, polypropylene tubs, or PET thermoform plastic containers to register with the state and pay annual fee. Adds truth-in-labeling provisions to requires products bearing the "chasing arrows" logo to meet recyclability standards.</p> <p><b>Materials covered:</b> Paper products, packaging, single-use plastic cups, polypropylene tubs, and PET thermoform plastic containers.</p> <p><a href="#">Link to Text</a></p>
Washington	Signed by Governor  05/17/21	<p><b>An act relating to the management of certain materials to support recycling and waste and litter reduction (SB 5022)</b></p> <p>Establishes minimum recycled content requirements for plastic beverage containers. Requires 15% of manufacturers total quantity of plastic beverage containers to be post-consumer recycled plastic by weight by 2023; 25% by 2026; and 50% by 2031. Requires manufacturers to register with the state and to pay annual fee. Also, bans sale and distribution of expanded polystyrene beginning June 1, 2023. Provides that single-use food service products such as utensils, straws, and lids may only be provided upon customer request.</p> <p>As introduced, bill created a product stewardship program for all consumer packaging and paper products.</p> <p><b>Materials covered:</b> packaging and paper products, beverage containers made from plastic, glass, or aluminum</p> <p><a href="#">Link to Text</a></p>

State	Status	Summary of Requirement
Washington	Signed by Governor  05/17/21	<p><b>An act relating to the management of certain materials to support recycling and waste and litter reduction (HB 1118)</b></p> <p>Establishes minimum recycled content requirements for plastic beverage containers. Requires 15% of manufacturers total quantity of plastic beverage containers to be post-consumer recycled plastic by weight by 2023; 25% by 2026; and 50% by 2031. Requires manufacturers to register with the state and to pay annual fee. Also, bans sale and distribution of expanded polystyrene beginning June 1, 2023. Provides that single-use food service products such as utensils, straws, and lids may only be provided upon customer request.</p> <p>As introduced, bill created a product stewardship program for all consumer packaging and paper products.</p> <p><b>Materials covered:</b> packaging and paper products, beverage containers made from plastic, glass, or aluminum</p> <p><a href="#">Link to Text</a></p>
Vermont	Read First Time and Referred to the Committee on Natural Resources, Fish, and Wildlife  1/27/21	<p><b>An act relating to extended producer responsibility for packaging and paper products (HB 142)</b></p> <p>Creates extended producer responsibility program requirements for packaging and paper products. Requires responsible parties, including paper product manufacturers as well as manufacturers of consumer products that use or are composed of packaging and is sold or distributed in Vermont, to implement or participate in a plan for the collection and management of such products.</p> <p><b>Materials covered:</b> packaging and paper products</p> <p><a href="#">Link to Text</a></p>

**Disclaimer:** Information in the table above is meant to be a reference tool and is not an exhaustive list of all legislative activity in the U.S. The information provides a summary and does not convey all aspects of legislated requirements. For example, the summaries below do not necessarily include definition of terms, information on outreach and education requirements, penalties and enforcement, reporting, or instructions on how to comply. Links to legislation are accurate as of the date of this publication. Retailers should reference official agency resources and/or the appropriate legislative documents for comprehensive guidance. Inclusion of introduced legislation is not a predictor or an indicator of RILA’s belief that it will pass.

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**About the RILA’s Retail Compliance Center:** The [Retail Compliance Center](#) (RCC) provides resources on environmental compliance and sustainability for all types and sizes of retailers. The RCC’s goal is to develop retail-specific resources, tools and innovative solutions to help companies cost-effectively improve their compliance and environmental performance.