

A-Engrossed
Senate Bill 581

Ordered by the Senate April 16
Including Senate Amendments dated April 16

Sponsored by Senator DEMBROW (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.

[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.]

[Imposes civil penalty of up to \$25,000 per day of violation of prohibition.]

[Applies to products sold on or after January 1, 2023.]

Establishes Truth in Labeling Task Force. Directs task force to report to interim committees of Legislative Assembly no later than June 1, 2022.

Repeals labeling requirements for rigid plastic bottles and containers.

Sunsets task force on December 31, 2022.

Takes effect on 91st day after adjournment sine die.

A BILL FOR AN ACT

1
2 Relating to claims about the recyclability of products; creating new provisions; repealing ORS
3 459A.675, 459A.680 and 459A.685; and prescribing an effective date.

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

5 **SECTION 1. (1) The Truth in Labeling Task Force is established.**

6 **(2) The task force consists of 15 members appointed as follows:**

7 **(a) The President of the Senate shall appoint one member from among members of the**
8 **Senate.**

9 **(b) The Speaker of the House of Representatives shall appoint one member from among**
10 **members of the House of Representatives.**

11 **(c) The Governor shall appoint:**

12 **(A) Five members to represent producers of packaged items and brand users of printing,**
13 **paper and food service ware.**

14 **(B) Three members to represent local governments of different population sizes and ge-**
15 **ographic locations in this state.**

16 **(C) Four members to represent the recycling industry, including collectors and process-**
17 **ors from different population sizes and geographic locations in this state.**

18 **(D) One member to represent the interests of environmental organizations.**

19 **(3) The task force shall study and evaluate misleading or confusing claims regarding the**
20 **recyclability of products made on a product or product packaging. The study must include**
21 **consideration of issues affecting accessibility for diverse audiences.**

22 **(4) A majority of the voting members of the task force constitutes a quorum for the**
23 **transaction of business.**

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 **(5) Official action by the task force requires the approval of a majority of the voting**
2 **members of the task force.**

3 **(6) The task force shall elect one of its members to serve as chairperson.**

4 **(7) If there is a vacancy for any cause, the appointing authority shall make an appoint-**
5 **ment to become immediately effective.**

6 **(8) The task force shall meet at times and places specified by the call of the chairperson**
7 **or of a majority of the voting members of the task force.**

8 **(9) The task force may meet using video conferencing technology or through some other**
9 **electronic or virtual means.**

10 **(10) The task force may adopt rules necessary for the operation of the task force.**

11 **(11) The task force shall submit a final report and recommendations for legislation in the**
12 **manner provided by ORS 192.245 to the interim committees of the Legislative Assembly re-**
13 **lated to the environment no later than June 1, 2022.**

14 **(12) The Department of Environmental Quality shall provide staff support to the task**
15 **force.**

16 **(13) Members of the Legislative Assembly appointed to the task force are nonvoting**
17 **members of the task force and may act in an advisory capacity only.**

18 **(14) Members of the task force who are not members of the Legislative Assembly are not**
19 **entitled to compensation or reimbursement for expenses and serve as volunteers on the task**
20 **force.**

21 **(15) All agencies of state government, as defined in ORS 174.111, are directed to assist**
22 **the task force in the performance of the duties of the task force and, to the extent permitted**
23 **by laws relating to confidentiality, to furnish information and advice the members of the task**
24 **force consider necessary to perform their duties.**

25 **SECTION 2.** ORS 459A.675, 459A.680 and 459A.685 are repealed.

26 **SECTION 3.** Section 1 of this 2021 Act is repealed on December 31, 2022.

27 **SECTION 4.** This 2021 Act takes effect on the 91st day after the date on which the 2021
28 regular session of the Eighty-first Legislative Assembly adjourns sine die.

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