

# Tracking 2022 recycling laws by state

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## Tracker

Follow bills about organics recycling, EPR, recycled content, container deposit systems and product bans that passed into law.

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Photo Illustration: Shaun Lucas/Industry Dive; Getty Images

***Nov. 29: The most recent update to this tracker adds three organics bills that passed in 2022. Those are Washington’s major bill setting a 75% target to reduce organic waste disposal, California’s bill extending the deadline for meeting certain organic waste procurement targets and a Massachusetts climate bill that allows certain anaerobic digesters and landfill gas facilities to qualify for a state energy incentive program.***

State legislatures have kicked into high gear in recent years to introduce and pass numerous bills aimed at improving recycling, reducing plastic waste, promoting circular economy initiatives and more.

To date, states have been more nimble than Congress in enacting legislation, and this could change the way communities — and eventually the country — manage waste and recycling. Some of the most notable state-level actions in 2022 included new laws around extended producer responsibility, postconsumer recycled content, plastic item bans, organics and container deposit systems.

Bills are listed below based on the date they were signed into law. This list will expand in the future to cover additional types of bills. Have an update on a bill? Email [waste.dive.editors@industrydive.com](mailto:waste.dive.editors@industrydive.com).

- State
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- Policy
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- Mattresses
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- Plastic

Sept. 30, 2022

California bans some types of produce bags

SB 1046

**Enactment date:** Jan. 1, 2025

California will ban “precheckout bags” that don’t meet compostability and recyclability requirements. This will apply to bags for items such as “loose produce, meat or fish, nuts, grains, candy, and bakery goods,” according to the bill. The bill also prohibits stores from using bags that insinuate they are compostable using misleading labeling but don’t meet the ASTM standard for compostability. This builds on the state’s existing bag ban.

Further reading

Sept. 30, 2022

California updates its bottle bill to prevent fraud

SB 38

**Enactment date:** Sept. 30, 2022.

The law prohibits processors from paying cash to certified recycling centers, curbside programs, and other bottle bill collection programs to avoid fraud. It also calls for CalRecycle to study and develop a proposal for reducing contamination in recycled glass, which the agency says is a major barrier to improving the quality of all recyclables.

The bill did not face notable opposition.

Further reading

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Sept. 27, 2022

California expands bottle bill to add wine and spirits

SB 1013

**Enactment date:** Jan. 1, 2024

The law adds certain wine and distilled spirits bottles to the state’s container redemption program and establishes a 10-cent redemption value on most of the bottles. It also creates a 25-cent refund on “difficult to recycle” wine packaging, including boxes, bladders, pouches and similar plastic containers.

Other provisions in the bill provide millions of dollars in market development initiatives, grants for recycled glass and funding for local programs aimed at collecting more containers.

CalRecycle will create three new grant programs: one for the use of glass cullet in new bottles, one for pilots for glass collection bins at restaurants and other retail locations, and one to encourage rail transportation to move empty glass containers to processing facilities.

CalRecycle will also fund curbside and neighborhood drop-off programs, municipal and county recycling and litter cleanup activities, statewide recycling education and other community recycling initiatives.

Large haulers like Recology, Republic Services and WM supported the bill, as did environmental groups like Californians Against Waste. Glass processor Strategic Materials and big names in bottling like Anheuser-Busch and Ball Corp. also supported the bill.

Further reading

Sept. 25, 2022

California updates its Buy Recycled campaign

AB 661

**Enactment date:** Jan. 1, 2026

This new law updates the State Agency Buy Recycled Campaign to stipulate agencies must purchase recycled products whenever they are available at no more than a 10% higher total cost. Formerly, agencies could purchase the recycled versions when they were available at the same or a lower total cost than alternative options.



The bill also lays out eligible products' minimum recycled content and recyclability requirements. Starting in 2026, CalRecycle must update the product list and recycling requirements every three years as long as it considers market conditions, recycling rates and recycling or processing infrastructure capacity.

Supporters included several environmental groups and municipalities who said it would help increase demand for recycled products. Opponents, like the American Chemistry Council and some state manufacturers, said the bill would make it difficult to find eligible products due to nationwide supply chain constraints and increased demand for recycled content products.

### Further reading

Sept. 16, 2022

California adds battery-embedded products to state e-waste program

SB 1215

**Enactment date:** Jan. 1, 2026

California's [SB 1215](#) adds battery-embedded products to the state's e-waste program, meaning consumers will pay a disposal fee when they purchase such products starting in 2026. "Battery-embedded" means a product with a battery not designed to be easily removed. Manufacturers of covered electronic devices sold in the state will need to submit a report to CalRecycle and educate consumers on where and how to return, recycle, or dispose of the covered electronic device.

The bill did not receive formal opposition. It exempts some products like prescribed medical devices.

### Further reading

Sept. 16, 2022

California battery EPR program starts in 2025

AB 2440

**Enactment date:** April 1, 2025

The law establishes an extended producer responsibility program meant to make battery drop-offs easier and reduce fires in collection vehicles and at waste and recycling facilities. Manufacturers must create a stewardship organization to handle collection, transportation and recycling and keep track of how many batteries are recycled.

California already has a takeback program for some types of rechargeable batteries, but consumers dropped off numerous other types of batteries because they were not sure which ones the program covered, bill proponents said.

Supporters included the California Product Stewardship Council, a sponsor of the bill, along with Rethink Waste, Californians Against Waste, Republic Services and numerous solid waste management districts.

### Further reading

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Sept. 16, 2022

California delays enforcement penalties for organic waste targets

AB 1985

**Enactment date:** Jan. 1, 2025

AB 1985 delays enforcement penalties for jurisdictions that fail to meet organic waste procurement targets set out in SB 1383. Bill sponsors say the legislation will give local governments more time to ramp up infrastructure needed to meet the goals. It also allows renewable gas procured from a publicly owned treatment works to count toward a jurisdiction's procurement target until 2025. Other provisions are meant to help rural counties create an adjusted organics collection target schedule starting in 2027.

### Further reading

July 21, 2022

Massachusetts climate bill allows some anaerobic digesters to participate in state energy incentive program

H 5060

**Enactment date:** Jan. 1, 2023



With [H 5060](#), Massachusetts allows some anaerobic digesters and landfill gas facilities that produce biogas to qualify for the state's peak energy incentive program starting in 2023. That program provides incentives for "clean energy technologies," such as wind or solar, that can supply electricity or reduce demand during peak periods.

Only certain existing AD and landfill gas facilities that were operational prior to Nov. 7, 2018, can participate in program. Groups such as the National Waste & Recycling Association and Vanguard Renewables have said the opportunity still helps benefit operations in the state.

The major climate bill, which aims to reduce Massachusetts' dependence on fossil fuels, also includes provisions removing new industrial-scale biomass plants from the state's definition of renewable energy.

Massachusetts' goal is to reduce carbon emissions from 1990 levels at least 33% by 2025 and at least 50% by 2030.

### Further reading

June 27, 2022

Rhode Island bans single-use plastic bags

HB 7065

**Enactment date:** One year after the Department of Environmental Management issues regulations for its enforcement or Jan. 1, 2024, whichever comes first.

The law [bans single-use plastic bags](#) at grocery stores, drugstores and other retail businesses and imposes fines. Many Rhode Island municipalities already have their own bag bans; the new law is meant to make the regulations consistent throughout the state. Supporters also say the law will help curb plastic pollution in waterways and ease contamination in recycling loads.

Stores will still be able to offer recyclable paper bags. Reusable bags will need to have "stitched handles" and be designed for 125 uses or more. The law exempts some types of single-use plastic bags, including plastic newspaper bags, bags for unwrapped bakery items or prepared foods and dry cleaning bags.

Conservation Law Foundation Rhode Island is among the bill's supporters.

### Further reading

June 17, 2022

Iowa updates bottle bill redemption center reimbursements

SF 2378

**Enactment date:** Business exemption went into effect July 1, 2022. Reimbursement goes into effect Jan.1, 2023.

Iowa lawmakers voted to increase the reimbursement paid to bottle redemption centers from one cent per container to three cents. Beverage distributors pay the fee, but they get to keep the full five cents for containers that aren't redeemed, the Iowa Capitol Dispatch reported. Retailers can stop taking the containers if they are licensed to prepare ready-to-eat food or are located within 10-15 miles of a redemption center, depending on a county's population

The bill passed after years of debate over updates to the state's aging bottle bill. State Sen. Jason Schultz, the bill sponsor, said tripling the handling fee will help redemption centers hire more employees and ease the backlog of cans piling up at several locations. The Container Recycling Institute spoke against the opt-out provision of the bill, saying it will make it harder for people to find redemption centers and that the remaining centers would be overloaded with containers.

Further reading



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June 17, 2022

South Carolina ends weight-based goals for electronics takebacks

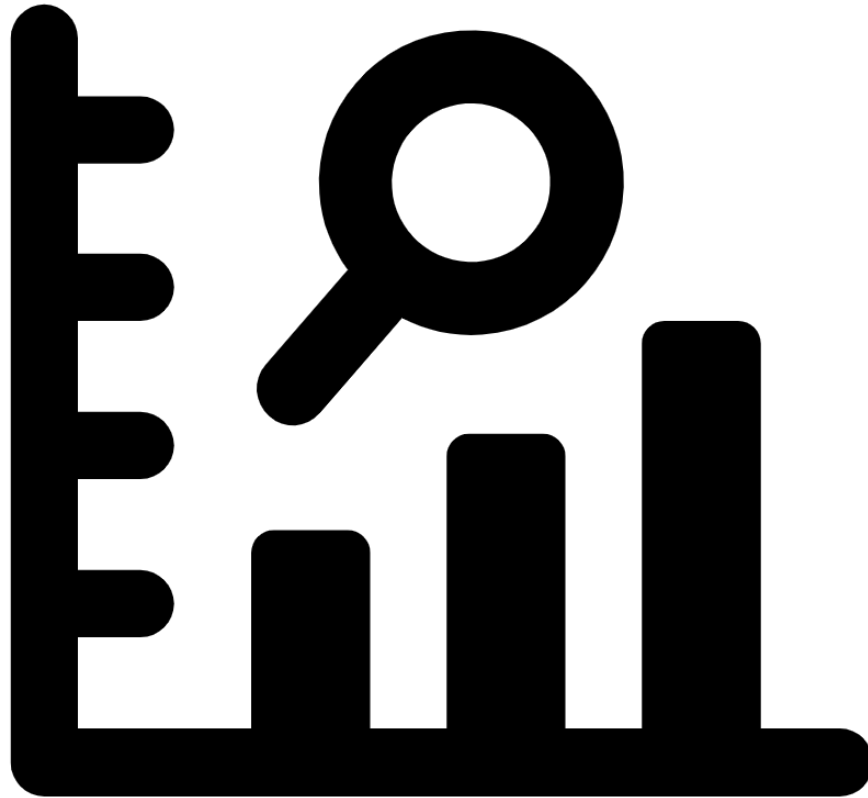
H4775

**Enactment date:** Jan. 1, 2023

South Carolina's H4775 will end weight-based collection goals for its electronics takeback program in favor of recycling convenience requirements aimed at making it easier for residents to return old TVs and computers. Some experts say this model could become more common in states with electronics EPR because devices are continuing to get lighter. The weight of electronics the state collects has declined since 2016.

The new law would require between one and three collection sites, depending on population, for each county, or four community collection events per year. Producers will still keep track of the weight of covered electronics collected, and manufacturers in the state must still cover the cost for packaging and transporting devices.





The Consumer Technology Association and the Product Stewardship Institute were among the bill's supporters.

Further reading

June 3, 2022

Colorado becomes third state with packaging EPR

HB22-1355

**Enactment date:** July 1, 2025

Colorado's new law creates an EPR program for most types of packaging that will be operated and funded by producers who join a nonprofit producer responsibility organization. Producers will pay dues each year based on the amount and type of applicable paper or packaging they use. Fees will go toward funding new or improved recycling services across the state. The bill exempts businesses with less than \$5 million in gross annual revenue.

The Colorado Department of Public Health and Environment will oversee the program with input from an advisory board of recycling stakeholders.

The PRO will hire an independent third party to assess Colorado's recycling services by April 2024 and to identify which recycling needs aren't being met. The assessment will look at potentially expanding recycling programs to include places like businesses, government buildings and other locations by 2028. Guidance would also include proposed recycling rates the state would need to meet by January 2030 and January 2035.

Colorado is the third state to adopt EPR for packaging. Proponents included the Colorado Municipal League and Colorado Communities for Climate Action, as well as several environmental groups. Opponents included the American Forest & Paper Association. Some waste haulers said they support EPR but felt the bill was overly complicated.

### Further reading

March 25, 2022

Washington bill sets 75% reduction target for organic waste disposal by 2030 and establishes other compost policies

HB 1799

**Enactment date:** Varies

Considered one of the most comprehensive state policies for organics management in the U.S., Washington's HB 1799 sets a goal to reduce organic waste disposal 75% by 2030. It also aims to increase the volume of edible food recovery 20% by 2025. Both goals are compared with a 2015 baseline.

Businesses with at least eight cubic yards of weekly organic waste will be required to have on-site management or collection services by 2024, and generators of smaller amounts will face the same requirement in 2025 and 2026. Local governments will need to start offering source-separated organics collection services in 2027.

The bill also creates compostable product label standards — the first in the country — and updates liability standards for food donation. Other provisions require local governments to adopt new compost procurement requirements, support farm use of compost and allow for the siting of organics processing facilities.

The Washington Refuse & Recycling Association, which represents haulers and composters such as WM, Republic Services and Waste Connections, supported the bill.

### Further reading

March 24, 2022

Oregon adds canned wine to bottle bill

SB 1520

**Enactment date:** July 1, 2025

Oregon's bottle bill update adds canned wine, but not wine in glass bottles.

The state's bottle bill already covers aluminum beer cans, so the bill is meant to make it easier for residents to redeem the growing number of canned wine containers. Many residents assume the canned wine containers already carry a deposit, bill supporters say.

The Oregon wine industry took a neutral position on the bill, except to advocate for moving implementation from 2024 to 2025. The Association of Oregon Recyclers supported the bill.

### Further reading

March 24, 2022

Oregon passes EPR for mattresses

SB 1576

**Enactment date:** Jan. 1, 2023

Oregon's mattress EPR bill, SB 1576, is meant to reduce illegal dumping and offer "free, convenient and accessible" collection sites in every county. Mattress producers must join a stewardship organization, pay an annual fee and submit a mattress management plan for the Oregon Department of Environmental Quality's approval no later than Oct. 1, 2023. The stewardship organization has seven months after initial approval to implement the plan.

Mattress producers also need to decide on collection targets, recycling goals and public awareness plans. Consumers who buy a new mattress in the state will have to pay a flat fee for the program, which DEQ will set. Several state recycling organizations, as well as mattress industry stakeholders such as the International Sleep Products Association, supported the bill.

### Further reading

Jan. 18, 2022

New Jersey sets recycled content requirements for packaging

S2515

**Enactment date:** Jan. 6, 2024

New Jersey's post-consumer recycled content law establishes minimum recycled content requirements starting in 2024 for certain plastic, glass and paper packaging. It also bans polystyrene packing peanuts in 2024.

The bill establishes these minimum post-consumer recycled content standards:

- 10% for rigid plastic containers, rising incrementally to 50% by 2036
- 15% for plastic beverage containers, rising incrementally to 50% by 2045
- 35% for recycled content in glass bottles
- 20% for plastic carryout bags, rising incrementally to 40% by 2027.
- Between 20% and 40% for paper carryout bags, depending on size
- A range of standards from 10% to 40% for plastic trash bags based on thickness

Both supporters and critics of the bill see its passage as a significant sign that New Jersey and the broader region will need to prioritize recycling collection in the coming years. Those in opposition, including AMERIPEN, the Consumer Brands Association, PLASTICS, the Glass Packaging Institute and the New Jersey State Chamber of Commerce, said the bill did not thoroughly assess current markets to make sure the post-consumer content standards will be feasible. Supporters like Environment New Jersey and the Institute of Scrap Recycling Industries said the bill had achievable and clear metrics.

Further reading

## Credits

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Megan Quinn

Reporter



## Recommended Reading

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Tracking the future of US recycling policy in Congress By Megan Quinn, Cole Rosengren • Updated Sept. 27, 2022

## Company Announcements

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From Ring Container Technologies

December 13, 2022



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