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**SENATE BILL 5740**

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**State of Washington**

**67th Legislature**

**2022 Regular Session**

**By** Senators Fortunato and L. Wilson

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1 AN ACT Relating to a temporary adjustment to the waste reduction,  
2 recycling, and litter control account to increase funds for state  
3 highway litter control activities; and amending RCW 70A.200.140.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 **Sec. 1.** RCW 70A.200.140 and 2021 c 334 s 987 are each amended to  
6 read as follows:

7 (1) There is hereby created an account within the state treasury  
8 to be known as the waste reduction, recycling, and litter control  
9 account. Moneys in the account may be spent only after appropriation.  
10 (~~Expenditures~~) Subject to subsection (2) of this section,  
11 expenditures from the waste reduction, recycling, and litter control  
12 account shall be used as follows:

13 (a) Forty percent to the department of ecology, primarily for use  
14 by the departments of ecology, natural resources, revenue,  
15 transportation, and corrections, and the parks and recreation  
16 commission, for litter collection programs under RCW 70A.200.170. The  
17 amount to the department of ecology shall also be used for a central  
18 coordination function for litter control efforts statewide; to  
19 support employment of youth in litter cleanup as intended in RCW  
20 70A.200.020, and for litter pick up using other authorized agencies;  
21 and for statewide public awareness programs under RCW 70A.200.150(7).

1 The amount to the department shall also be used to defray the costs  
2 of administering the funding, coordination, and oversight of local  
3 government programs for waste reduction, litter control, recycling,  
4 and composting so that local governments can apply one hundred  
5 percent of their funding to achieving program goals. The amount to  
6 the department of revenue shall be used to enforce compliance with  
7 the litter tax imposed in chapter 82.19 RCW;

8 (b) (i) Twenty percent to the department for local government  
9 funding programs for waste reduction, litter control, recycling  
10 activities, and composting activities by cities and counties under  
11 RCW 70A.200.190, to be administered by the department of ecology;

12 (ii) any unspent funds under (b) (i) of this subsection may be used to  
13 create and pay for a matching fund competitive grant program to be  
14 used by local governments for the development and implementation of  
15 contamination reduction and outreach plans for inclusion in  
16 comprehensive solid waste management plans or by local governments  
17 and nonprofit organizations for local or statewide education programs  
18 designed to help the public with litter control, waste reduction,  
19 recycling, and composting of primarily the products taxed under  
20 chapter 82.19 RCW. Recipients under this subsection include programs  
21 to reduce wasted food and food waste that are designed to achieve the  
22 goals established in RCW 70A.205.715(1) and that are consistent with  
23 the plan developed in RCW 70A.205.715(3). Grants must adhere to the  
24 following requirements: (A) No grant may exceed sixty thousand  
25 dollars; (B) grant recipients shall match the grant funding allocated  
26 by the department by an amount equal to twenty-five percent of  
27 eligible expenses. A local government's share of these costs may be  
28 met by cash or contributed services; (C) the obligation of the  
29 department to make grant payments is contingent upon the availability  
30 of the amount of money appropriated for this subsection (1) (b); and  
31 (D) grants are managed under the guidelines for existing grant  
32 programs; and

33 (c) Forty percent to the department of ecology to: (i) Implement  
34 activities under RCW 70A.200.150 for waste reduction, recycling, and  
35 composting efforts; (ii) provide technical assistance to local  
36 governments and commercial businesses to increase recycling markets  
37 and recycling and composting programs primarily for the products  
38 taxed under chapter 82.19 RCW designed to educate citizens about  
39 waste reduction, litter control, and recyclable and compostable  
40 products and programs; (iii) increase access to waste reduction,

1 composting, and recycling programs, particularly for food packaging  
2 and plastic bags and appropriate composting techniques; and (iv) for  
3 programs to reduce wasted food and food waste that are designed to  
4 achieve the goals established in RCW 70A.205.715(1) and that are  
5 consistent with the plan developed in RCW 70A.205.715(3).

6 (2) From July 1, 2022, through July 1, 2023, the expenditure  
7 percentages identified in subsection (1)(a), (b), and (c) of this  
8 section must be reduced by 50 percent, and the remaining 50 percent  
9 of expenditures from the waste reduction, recycling, and litter  
10 control account must be used by the department of transportation for  
11 litter control activities along state highways.

12 (3) All taxes imposed in RCW 82.19.010 and fines and bail  
13 forfeitures collected or received pursuant to this chapter shall be  
14 deposited in the waste reduction, recycling, and litter control  
15 account and used for the programs under (~~subsection~~) subsections  
16 (1) and (2) of this section.

17 (~~(3)~~) (4) Not less than five percent and no more than ten  
18 percent of the amount appropriated into the waste reduction,  
19 recycling, and litter control account every biennium shall be  
20 reserved for capital needs, including the purchase of vehicles for  
21 transporting crews and for collecting litter and solid waste. Capital  
22 funds shall be distributed among state agencies and local governments  
23 according to the same criteria provided in RCW 70A.200.170 for the  
24 remainder of the funds, so that the most effective waste reduction,  
25 litter control, recycling, and composting programs receive the most  
26 funding. The intent of this subsection is to provide funds for the  
27 purchase of equipment that will enable the department to account for  
28 the greatest return on investment in terms of reaching a zero litter  
29 goal.

30 (~~(4)~~) (5) Funds in the waste reduction, recycling, and litter  
31 control account, collected under chapter 82.19 RCW, must be  
32 prioritized for the products identified under RCW 82.19.020 solely  
33 for the purposes of recycling, composting, and litter collection,  
34 reduction, and control programs.

35 (~~(5)~~) (6) During the 2021-2023 fiscal biennium, Washington  
36 State University may use funds in the waste reduction, recycling, and  
37 litter control account, collected under chapter 82.19 RCW, to conduct  
38 an organic waste study.

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