

## IMPACT STATEMENT

**Legislation title:** \*Amend Prohibition and Restrictions on Single-Use Plastic Code to reflect changes required by State of Oregon House Bill 2509 to maintain enforcement authority over the single-use plastic bag ban (Ordinance; replace Code Sections 17.103.210 and .220)

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**Purpose of proposed legislation and background information:**

House Bill (HB) 2509 (2019) creates a statewide plastic bag ban, effective January 1, 2020. Portland's existing single-use plastic bag ban has been in place since 2011. However, HB 2509 requires Portland to amend its ban in order to continue enforcement of the ban.

HB 2509 preempts local governments from enforcing local provisions that are not identical to the definitions, requirements and restrictions established by the bill. Local governments can impose penalties other than the criminal penalties established by the bill. In order to continue the civil penalties currently in City code, the City must adopt the definitions, requirements and restrictions established in HB 2509. Failure to do so will render the City unable to respond to complaints about non-compliance with the plastic bag ban.

**Financial and budgetary impacts:**

This ordinance will not affect City finances because the City's single-use plastic bag ban has been in effect since 2011 and the program and staffing have already been assigned.

**Community impacts and community involvement:**

HB 2509 (2019) adds a fee of at least 5 cents to single-use paper bags used by customers at grocers or retail establishments. However, HB 2509 recognizes the disproportionate impact the fee will have on low-income Oregonians and the bill exempts customers who use an electronic benefits transfer card issued by the Department of Human Services from paying the fee.

**100% Renewable Goal:**

Not applicable.

### Budgetary Impact Worksheet

**Does this action change appropriations?**

**YES:** Please complete the information below.

**NO:** Skip this section

Fund	Fund Center	Commitment Item	Functional Area	Funded Program	Grant	Sponsored Program	Amount