

## Session 119 - (2011-2012)

### H 3590 General Bill, By J.E. Smith and Jefferson

#### **Summary:** Beverage Container Recycling Act

A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 97 TO TITLE 44 SO AS TO ENACT THE "SOUTH CAROLINA BEVERAGE CONTAINER RECYCLING ACT"; TO PROVIDE FOR THE RECYCLING OF BEVERAGE CONTAINERS BY CONSUMERS; TO REQUIRE DEPOSIT BEVERAGE DISTRIBUTORS THAT OPERATE WITHIN THE STATE TO REGISTER WITH THE DEPARTMENT OF REVENUE AND MAINTAIN CERTAIN RECORDS; TO REQUIRE DEPOSIT BEVERAGE DISTRIBUTORS TO PAY A CONTAINER RECOVERY FEE AND A DEPOSIT FOR EACH DEPOSIT BEVERAGE CONTAINER SOLD IN THE STATE; TO REQUIRE DEPOSIT BEVERAGE DISTRIBUTORS TO CHARGE DEALERS OR CONSUMERS A DEPOSIT EQUAL TO THE REFUND VALUE OF THE BEVERAGE CONTAINER; TO PRESCRIBE BEVERAGE CONTAINER REFUND VALUES AND TO REQUIRE REFUND VALUES TO BE AFFIXED TO BEVERAGE CONTAINERS; TO CREATE THE "DEPOSIT BEVERAGE CONTAINER FUND" WITHIN THE DEPARTMENT OF REVENUE, TO PROVIDE WHICH FUNDS ARE TO BE DEPOSITED IN THE FUND AND HOW THE FUND IS TO BE USED; TO REQUIRE THE BUREAU OF LAND AND WASTE MANAGEMENT OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO ADMINISTER THE PROGRAM; TO REQUIRE THE COMPTROLLER GENERAL TO CONDUCT AN AUDIT OF THE PROGRAM DURING CERTAIN FISCAL YEARS; TO AUTHORIZE THE BUREAU TO ADOPT RULES AND PROMULGATE REGULATIONS TO EFFECTUATE PROVISIONS OF THIS CHAPTER; TO REQUIRE DEALERS TO POST SIGNS THAT INDICATE INFORMATION ABOUT REDEMPTION CENTERS; TO REQUIRE THE BUREAU TO DEFINE UNDERSERVED AREAS AND WORK TO PUT CERTIFIED REDEMPTION CENTERS IN THESE AREAS; TO REQUIRE PROSPECTIVE REDEMPTION CENTERS AND PROSPECTIVE PROCESSORS TO REGISTER WITH THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, AND TO PROVIDE REQUIREMENTS FOR THE ISSUANCE OF CERTIFICATION; TO PRESCRIBE THE USE OF REVERSE VENDING MACHINES IN THE COLLECTION OF BEVERAGE CONTAINERS; TO PROVIDE SITUATIONS IN WHICH A CERTIFIED REDEMPTION CENTER MAY REFUSE TO PAY THE REFUND VALUE ON A DEPOSIT BEVERAGE CONTAINER; TO PROVIDE FOR THE PAYMENT OF HANDLING FEES BY THE DEPARTMENT OF REVENUE TO CERTIFIED REDEMPTION CENTERS UPON CERTAIN CONDITIONS; TO PROVIDE FOR THE PAYMENT OF ADMINISTRATIVE FEES BY THE DEPARTMENT OF REVENUE TO PROCESSORS UPON CERTAIN CONDITIONS; TO REQUIRE PROCESSORS TO SUBMIT INVOICES TO THE DEPARTMENT OF REVENUE CONCERNING REFUND VALUES AND ASSOCIATED FEES; TO REQUIRE DISTRIBUTORS, REDEMPTION CENTERS, AND PROCESSORS TO MAKE RECORDS AVAILABLE UPON CERTAIN CONDITIONS; TO REQUIRE THE DEPARTMENT OF REVENUE TO COMPILE AND PUBLISH A REPORT ON THE PROGRAM EACH FISCAL YEAR; TO PROVIDE FOR THE MEMBERSHIP AND DUTIES OF AN ADVISORY COMMITTEE TO THE BUREAU; AND TO PROVIDE PENALTIES FOR THE VIOLATION OF THIS CHAPTER.

**02/03/11 House Introduced and read first time (House Journal-page 7)**

**02/03/11 House Referred to Committee on Agriculture, Natural Resources and Environmental Affairs (House Journal-page 7)**