

HOUSE BILL NO. 5423

January 28, 2020, Introduced by Reps. Iden, Sneller, Chirkun and Lilly and referred to the Committee on Regulatory Reform.

A bill to amend 1976 IL 1, entitled

"A petition to initiate legislation to provide for the use of returnable containers for soft drinks, soda water, carbonated natural or mineral water, other nonalcoholic carbonated drink, and for beer, ale, or other malt drink of whatever alcoholic content, and for certain other beverage containers; to provide for the use of unredeemed bottle deposits; to prescribe the powers and duties of certain state agencies and officials; and to prescribe penalties and provide remedies,"

by amending section 3c (MCL 445.573c), as amended by 1996 PA 384.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:



RJH



03228'19 *

1 Sec. 3c. (1) ~~There~~**The bottle deposit fund** is created in the
 2 department of treasury. ~~a bottle deposit fund which~~**The fund** is a
 3 revolving fund administered by the department of treasury. The
 4 money **deposited** in the bottle deposit fund shall not revert to the
 5 general fund.

6 **(2) The bottle bill enforcement fund is created in the**
 7 **department of treasury. The fund is a revolving fund administered**
 8 **by the department of treasury. The money deposited in the bottle**
 9 **bill enforcement fund shall not revert to the general fund.**

10 **(3) ~~(2)~~The department of treasury shall deposit the** amount
 11 paid to the department of treasury by underredeemers ~~shall be~~
 12 ~~deposited by the department of treasury in~~**into** the bottle deposit
 13 fund created in subsection (1) for annual disbursement by the
 14 department of treasury in the following manner:

15 (a) ~~Seventy-five~~**Forty percent to the department of**
 16 **environment, Great Lakes, and energy to be disbursed as follows:**

17 **(i) Seventy-five percent to the renew Michigan fund created in**
 18 **section 51g of the income tax act of 1967, 1967 PA 281, MCL**
 19 **206.51g, to be used for recycling purposes as described in that**
 20 **section.**

21 **(ii) Twenty-five percent** to the cleanup and redevelopment trust
 22 fund created in section 3e.

23 (b) Twenty-five percent to dealers to be apportioned to each
 24 dealer on the basis of the number of empty returnable containers
 25 handled by a dealer as determined by the department of treasury.

26 **(c) Twenty percent to distributors to be apportioned to each**
 27 **distributor on the basis of the number of empty returnable**
 28 **containers handled by the distributor, as determined by the**
 29 **department of treasury.**



1 (d) Fifteen percent to the bottle bill enforcement fund
 2 created in subsection (2). The department of treasury shall
 3 disburse the money deposited into the fund to the department of
 4 state police and county and local law enforcement for use in
 5 enforcing this act and investigating violations of this act. The
 6 department of state police and county and local law enforcement
 7 shall apply for the disbursement of funds and the department of
 8 treasury shall disburse the funds in a manner determined by the
 9 department.

10 (4) ~~(3)~~ Not later than June 1 of each year, the department of
 11 treasury shall publish and make available to the public information
 12 related to section 3b(1) and send a report of that information to
 13 the legislature.

14 (5) ~~(4) The~~ **If the department of treasury determines that**
 15 **rules are needed to properly implement and administer sections 3a**
 16 **to 3d, the** department of treasury may promulgate rules to implement
 17 **and administer those** sections 3a to 3d pursuant to ~~under~~ the
 18 administrative procedures act of 1969, Act No. 306 of the Public
 19 Acts of 1969, being sections 24.201 to 24.328 of the Michigan
 20 Compiled Laws, ~~if the department of treasury determines that rules~~
 21 ~~are needed to properly implement and administer sections 3a to~~
 22 ~~3d.~~ **1969 PA 306, MCL 24.201 to 24.328.**

23 Enacting section 1. This amendatory act takes effect 90 days
 24 after the date it is enacted into law.

25 Enacting section 2. This amendatory act does not take effect
 26 unless Senate Bill No. ____ or House Bill No. 5422 (request no.
 27 02698'19 **) of the 100th Legislature is enacted into law.

