

SUBSTITUTE FOR  
HOUSE BILL NO. 4444

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:**

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~~ **does** not revert to

1 the general fund.

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

7 (a) **For the annual disbursement for 2020, 2021, and 2022, if**  
8 **the amount paid by underredeemers for a calendar year exceeds**  
9 **\$50,000,000.00, the department of treasury may disburse an amount**  
10 **that is the difference between the total amount paid by**  
11 **underredeemers and \$50,000,000.00 to the general fund for credits**  
12 **claimed under sections 279 and 679 of the income tax act of 1967,**  
13 **1967 PA 281, MCL 206.279 and 206.679, for the corresponding year**  
14 **and then disburse the balance of the funds remaining in the bottle**  
15 **deposit fund after a disbursement under this subdivision as**  
16 **required under subdivisions (b) and (c).**

17 (b) ~~(a)~~ Seventy-five percent to the cleanup and redevelopment  
18 trust fund created in section 3e.

19 (c) ~~(b)~~ Twenty-five percent to dealers to be apportioned to  
20 each dealer on the basis of the number of empty returnable  
21 containers handled by a dealer as determined by the department of  
22 treasury.

23 (3) Not later than June 1 of each year, the department of  
24 treasury shall publish and make available to the public information  
25 related to section 3b(1) and send a report of that information to  
26 the legislature.

27 (4) ~~The~~ **If the department of treasury determines that rules**  
28 **are needed to properly implement and administer sections 3a to 3d,**  
29 **the department of treasury may promulgate rules to implement and**

1 **administer those** sections ~~3a to 3d pursuant to~~ **under** the  
2 administrative procedures act of 1969, ~~Act No. 306 of the Public~~  
3 ~~Acts of 1969, being sections 24.201 to 24.328 of the Michigan~~  
4 ~~Compiled Laws, if the department of treasury determines that rules~~  
5 ~~are needed to properly implement and administer sections 3a to~~  
6 ~~3d.~~ **1969 PA 306, MCL 24.201 to 24.328.**

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