

STATE OF OKLAHOMA

2nd Session of the 44th Legislature (1994)

HOUSE BILL NO. 1935

By: Holt

AS INTRODUCED

An Act relating to environment and natural resources;  
creating the Returnable Beverage Container  
Management Act; expressing legislative intent;  
defining terms; creating refund values for beverage  
containers; requiring such beverage containers to  
be labeled; creating redemption requirements;  
creating a handling fee; requiring registration of  
redemption centers; providing for codification; and  
providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law to be codified  
in the Oklahoma Statutes as Section 2-11-601 of Title 27A, unless  
there is created a duplication in numbering, reads as follows:

Sections 1 through 6 of this act shall be known and may be cited  
as the "Returnable Beverage Container Management Act".

SECTION 2. NEW LAW A new section of law to be codified  
in the Oklahoma Statutes as Section 2-11-602 of Title 27A, unless  
there is created a duplication in numbering, reads as follows:

It is the intent of the Legislature that this act promote the  
reuse, recycling and conservation of natural resources, reduce

litter and solid waste and reduce litter-related injuries and damage which occur to farm vehicles and crops.

SECTION 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 2-11-603 of Title 27A, unless there is created a duplication in numbering, reads as follows:

As used in the Returnable Beverage Container Management Act:

1. "Beverage" means beer and light beer, as defined in Section 506 of Title 37 of the Oklahoma Statutes, other malt beverages, mineral waters, soda water and similar carbonated soft drinks in liquid form which are intended for human consumption;

2. "Beverage container" means an individual sealed metal can or glass jar or bottle which contains a beverage;

3. "Consumer" means a person who purchases a beverage in a beverage container for ultimate use or consumption;

4. "Dealer" means a person in this state who sells a beverage in beverage containers to a consumer;

5. "Department" means the Department of Environmental Quality;

6. "Distributor" means a person who sells a beverage in beverage containers to a dealer in this state or a manufacturer who engages in said sales;

7. "Manufacturer" means a person who bottles, cans or otherwise fills beverage containers for sale to distributors or dealers; and

8. "Redemption center" means a location which is used for the return and storage of beverage containers and has been registered with the Department of Environmental Quality.

SECTION 4. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 2-11-604 of Title 27A, unless there is created a duplication in numbering, reads as follows:

A. Every beverage container sold or offered for sale in this state shall have a refund value of not less than five cents (\$0.05).

B. On every beverage container sold or offered for sale in this state by a dealer, there shall be clearly indicated by embossing,

stamping, labeling or securely affixing to the beverage container by other method, the word "Oklahoma" or abbreviation "Okla." and the refund value of the container.

SECTION 5. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 2-11-605 of Title 27A, unless there is created a duplication in numbering, reads as follows:

A. No dealer may refuse to accept a beverage container of the kind, size and brand sold by that dealer, or refuse to pay the refund value of a beverage container as provided for in Section 4 of this act.

B. No distributor may refuse to accept from a dealer or redemption center operator a beverage container of the kind, size and brand sold by that distributor, or refuse to pay the dealer or redemption center operator the refund value of a beverage container as provided for in Section 4 of this act. Each dealer shall be paid a handling fee of one cent (\$0.01) by the distributor for each beverage container returned to that distributor.

C. A dealer, distributor or redemption center operator may refuse to accept an empty beverage container which:

1. Does not state refund value as provided for in Section 4 of this act; or
2. Is dirty or contains any material other than the original beverage.

SECTION 6. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 2-11-606 of Title 27A, unless there is created a duplication in numbering, reads as follows:

A. Any person seeking to operate a redemption center shall register with the Department. Registration information shall include the location of the redemption center, the name, address and telephone number of the operator, the kind and brand names of the beverage containers accepted and the hours of operation.

B. The Department shall maintain a list of registered redemption centers and shall provide said list or any information contained therein to any person upon request.

SECTION 7. This act shall become effective January 1, 1995.

44-2-8424

KSM