

ENGROSSED SENATE  
BILL NO. 976

By: Bell of the Senate

and

Erwin of the House

An Act relating to environment and natural resources;  
promoting goal of the Oklahoma Recycling  
Initiative; protecting recoverable materials and  
businesses; stating ownership of recoverable  
materials; prohibiting units of government from  
restricting certain donations or sales of  
recoverable materials; stating when ownership of  
materials is transferred; authorizing units of  
government to require separation of materials for  
recycling collection; providing for codification;  
and declaring an emergency.

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 2-10-205.1 of Title 27A, unless  
there is created a duplication in numbering, reads as follows:

A. To further the goals promoted in the Oklahoma Recycling  
Initiative, Section 2-10-205 of this title, it is necessary to  
protect recycled material and the businesses who handle it from  
unnecessary and burdensome regulation. To prevent such impediments:

1. The generator of recoverable materials shall retain  
ownership of those materials until the generator donates or sells  
those materials to another entity. Units of government shall not

require such a generator to convey, donate or sell recoverable materials to that government or to a designated facility, nor restrict such a generator's right to donate or sell recoverable materials to any other entity; and

2. The ownership of recoverable materials is transferred to the operator of a recoverable collection program at the time such materials are placed into a container provided by the operator for the collection of such materials. If the operator is operating under a contract with and on behalf of a unit of government, the terms of the contract shall determine the ownership of the recoverable materials.

B. No provision of this section shall be construed to prevent units of government from requiring generators of recoverable materials under their jurisdiction to separate recoverable materials for recycling collection.

SECTION 2. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

Passed the Senate the 27th day of February, 1996.

President of the Senate

Passed the House of Representatives the \_\_\_\_ day of

\_\_\_\_\_, 1996.

Speaker of the House of Representatives