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February 12, 2018

**AS AMENDED**

SENATE BILL NO. 1465

By: Leewright

[ environment and natural resources - issuance of  
certain ordinance - certain construction - exception  
- codification -

~~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 2-11-504 of Title 27A, unless there is created a duplication in numbering, reads as follows:

A. As used in this section, "auxiliary container" means any bag, cup, package, container, bottle or other packaging that is:

1. Made of cloth, paper, plastic, including foamed or expanded plastic, cardboard, corrugated material, aluminum, glass, post-consumer recycled material, or similar material including, but not limited to, coated or laminated materials; and

2. Designed for, but not limited to, consuming, transporting, or protecting merchandise, food or beverages from, or at, a food service facility or retail facility.

1 B. Except for subsection D of this section, no political  
2 subdivision shall restrict, tax, prohibit or issue any ordinance  
3 regulating the use, disposition or sale of auxiliary containers.

4 C. Nothing in this section shall prohibit or limit any county  
5 or municipal ordinance or agreement regarding a recycling program or  
6 the disposal of solid waste.

7 D. Subsection B of this section shall not apply to the use of  
8 auxiliary containers on property owned by a county or municipality.

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

13 COMMITTEE REPORT BY: COMMITTEE ON GENERAL GOVERNMENT  
14 February 12, 2018 - DO PASS AS AMENDED  
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