

1 STATE OF OKLAHOMA

2 1st Session of the 57th Legislature (2019)

3 COMMITTEE SUBSTITUTE
4 FOR

5 SENATE BILL NO. 1001

By: Leewright

6
7 COMMITTEE SUBSTITUTE

8 An Act relating to environment and natural resources;
9 defining terms; restricting the issuance of certain
10 ordinance regulating the use, disposition or sale of
11 auxiliary containers; providing certain construction;
12 providing exception; providing for codification;
13 providing an effective date; and declaring an
14 emergency.

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

16 SECTION 1. NEW LAW A new section of law to be codified
17 in the Oklahoma Statutes as Section 2-11-504 of Title 27A, unless
18 there is created a duplication in numbering, reads as follows:

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

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

1 2. Designed for, but not limited to, consuming, transporting,
2 or protecting merchandise, food or beverages from, or at, a food
3 service facility, manufacturing, distribution, further processing,
4 or retail facility.

5 B. Except for subsection D of this section, no political
6 subdivision shall restrict, tax, prohibit or regulate the use,
7 disposition or sale of auxiliary containers.

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

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

13 SECTION 2. This act shall become effective July 1, 2019.

14 SECTION 3. It being immediately necessary for the preservation
15 of the public peace, health or safety, an emergency is hereby
16 declared to exist, by reason whereof this act shall take effect and
17 be in full force from and after its passage and approval.

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