

1 ENGROSSED SENATE
2 BILL NO. 1001

By: Leewright of the Senate

3 and

4 Kerbs of the House

5
6 An Act relating to environment and natural resources;
7 defining terms; restricting the issuance of certain
8 ordinance regulating the use, disposition or sale of
9 auxiliary containers; providing certain construction;
providing exception; providing for codification;
providing an effective date; and declaring an
emergency.

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

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

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

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

23 2. Designed for, but not limited to, consuming, transporting,
24 or protecting merchandise, food or beverages from, or at, a food

1 service facility, manufacturing, distribution, further processing,
2 or retail facility.

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

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

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

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

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

1 Passed the Senate the 6th day of March, 2019.

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4 Presiding Officer of the Senate

5 Passed the House of Representatives the ____ day of _____,
6 2019.

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9 Presiding Officer of the House
10 of Representatives