

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 57th Legislature (2019)

4 ENGROSSED SENATE
5 BILL NO. 1001

By: Leewright of the Senate

and

6 **Roberts (Dustin)** of the
7 House

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

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

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

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

23 1. Made of cloth, paper, plastic, including foamed or expanded
24 plastic, cardboard, corrugated material, aluminum, glass,

1 postconsumer recycled material or similar material including, but
2 not limited to, coated or laminated materials; and

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

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

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

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

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

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

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21 COMMITTEE REPORT BY: COMMITTEE ON BUSINESS AND COMMERCE, dated
22 03/28/2019 - DO PASS, As Coauthored.
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