

STATE OF OKLAHOMA

1st Session of the 57th Legislature (2019)

SENATE BILL NO. 1001

By: Leewright

AS INTRODUCED

An Act relating to environment and natural resources; defining terms; restricting the issuance of certain ordinance regulating the use, disposition or sale of auxiliary containers; providing certain construction; providing exception; providing for codification; providing an effective date; 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 2-11-504 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, 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 or retail facility.

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

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

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

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

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

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