

Introduced by Senator Simitian

February 19, 2010

An act to amend Section 14574 of the Public Resources Code, relating to beverage containers.

LEGISLATIVE COUNSEL'S DIGEST

SB 1401, as introduced, Simitian. Beverage containers: redemption payments.

Existing law, the California Beverage Container Recycling and Litter Reduction Act (act), requires a distributor to pay a redemption payment for every beverage container sold or offered for sale in the state to the Division of Recycling in the Department of Resources Recycling and Recovery. The distributor is required to make these payments not later than the last day of the 3rd month following a sale, except for those distributors that display a pattern of compliance who may make a single annual payment, under specified circumstances with regard to the amount of the distributor's projected redemption payment.

This bill would revise the amount of the projected redemption payment with regard to which a distributor is eligible to make an annual payment of redemption payments.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 14574 of the Public Resources Code is
- 2 amended to read:
- 3 14574. (a) (1) A distributor of beverage containers shall pay
- 4 to the department the redemption payment for every beverage

1 container, other than a refillable beverage container, sold or
2 transferred to a dealer, less 1.5 percent for the distributor's
3 administrative costs.

4 (2) The payment made by a distributor shall be made not later
5 than the last day of the third month following the sale. The
6 distributor shall make the payment in the form and manner that
7 the department prescribes.

8 (b) (1) Notwithstanding subdivision (a), if a distributor displays
9 a pattern of operation in compliance with this division and the
10 regulations adopted pursuant to this division, to the satisfaction of
11 the department, the distributor may make a single annual payment
12 of redemption payments, if the distributor meets either of the
13 following requirements: *distributor's projected redemption*
14 *payment for a calendar year totals less than seventy-five thousand*
15 *dollars (\$75,000).*

16 (A) If the redemption payment and refund value is not increased
17 pursuant to paragraph (3) of subdivision (a) of Section 14560, the
18 distributor's projected redemption payment for a calendar year
19 totals less than fifty thousand dollars (\$50,000).

20 (B) If the redemption payment and refund value is increased
21 pursuant to paragraph (3) of subdivision (a) of Section 14560, the
22 distributor's projected redemption payment for a calendar year
23 totals less than seventy-five thousand dollars (\$75,000).

24 (2) An annual redemption payment made pursuant to this
25 subdivision is due and payable on or before February 1 for every
26 beverage container sold or transferred by the distributor to a dealer
27 in the previous calendar year.

28 (3) A distributor shall notify the department of its intent to make
29 an annual redemption payment pursuant to this subdivision on or
30 before January 31 of the calendar year for which the payment will
31 be due.