

Senate Bill No. 1219

Passed the Senate May 3, 2012

Secretary of the Senate

Passed the Assembly August 21, 2012

Chief Clerk of the Assembly

This bill was received by the Governor this _____ day
of _____, 2012, at _____ o'clock ____M.

Private Secretary of the Governor

CHAPTER _____

An act to amend Sections 42254 and 42257 of the Public Resources Code, relating to recycling.

LEGISLATIVE COUNSEL'S DIGEST

SB 1219, Wolk. Recycling: plastic bags.

Existing law requires an operator of a store, as defined, to establish an at-store recycling program that provides to customers the opportunity to return clean plastic carryout bags to that store. This requirement is repealed on January 1, 2013. Existing law prohibits a city, county, or other local public agency from taking specified regulatory actions with regard to the recycling of plastic carryout bags. Existing law provides for the enforcement of those provisions by local agencies and by the state and requires the civil penalties collected by the state to be expended by the Attorney General, upon appropriation by the Legislature, to implement these requirements.

This bill would extend those at-store recycling program requirements until January 1, 2020, and would repeal the provisions preempting local regulatory action.

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

SECTION 1. Section 42254 of the Public Resources Code is amended to read:

42254. (a) This chapter does not prohibit the adoption, implementation, or enforcement of any local ordinance, resolution, regulation, or rule governing curbside or drop off recycling programs operated by, or pursuant to a contract with, a city, county, or other public agency, including any action relating to fees for these programs.

(b) This chapter does not affect any contract, franchise, permit, license, or other arrangement regarding the collection or recycling of solid waste or household hazardous waste.

SEC. 2. Section 42257 of the Public Resources Code is amended to read:

42257. This chapter shall remain in effect only until January 1, 2020, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2020, deletes or extends that date.

Approved _____, 2012

Governor