

ASSEMBLY BILL

No. 744

Introduced by Assembly Member Gordon

February 21, 2013

An act to amend Section 14551 of, and to repeal Section 14523.5 of, the Public Resources Code, relating to recycling.

LEGISLATIVE COUNSEL'S DIGEST

AB 744, as introduced, Gordon. Recycling: beverage containers.

Existing law, the California Beverage Container Recycling and Litter Reduction Act, requires the Department of Resources Recycling and Recovery to establish reporting periods of every 6 months for redemption rates and recycling rates for specified types of beverage containers, to determine those rates for each reporting period, and to issue a report on those determinations. The act defines various terms for purposes of those provisions, including "redemption rate."

This bill would delete the provisions that require the department to establish the reporting periods for the redemption rates and to determine the redemption rates for specified types of beverage containers. The bill also would delete the definition of the term "redemption rate."

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 14523.5 of the Public Resources Code
2 is repealed.

1 ~~14523.5. “Redemption rate” means the proportion of empty~~
 2 ~~beverage containers returned to processors measured in the manner~~
 3 ~~prescribed in Section 14551.~~

4 SEC. 2. Section 14551 of the Public Resources Code is
 5 amended to read:

6 14551. (a) The department shall establish reporting periods
 7 for the reporting of ~~redemption rates and~~ recycling rates. Each
 8 reporting period shall be six months. The department shall
 9 determine all of the following for each reporting period and shall
 10 issue a report on its determinations, within 130 days of the end of
 11 each reporting period:

12 (1) Sales of beverages in aluminum beverage containers, bimetal
 13 beverage containers, glass beverage containers, plastic beverage
 14 containers, and other beverage containers in this state, including
 15 refillable beverage containers.

16 (2) Returns for recycling, and returns not for recycling, of empty
 17 aluminum beverage containers, bimetal beverage containers, glass
 18 beverage containers, plastic beverage containers, and other
 19 beverage containers in this state, including refillable beverage
 20 containers returned to distributors pursuant to Section 14572.5.
 21 These numbers shall be calculated using the average current
 22 weights of beverage containers, as determined and reported by the
 23 department. ~~To these numbers shall be added and separately~~
 24 ~~reported the following, if greater than, or equal to, zero:~~

25 ~~(A) All empty postfilled aluminum, glass, and plastic food or~~
 26 ~~drink packaging materials sold in the state, returned for recycling,~~
 27 ~~and reported by weight to the department which do not have a~~
 28 ~~refund value less the number specified in subparagraph (B).~~

29 ~~(B) The number of beverage containers which comprise the first~~
 30 ~~five percentage points of the redemption rate without including~~
 31 ~~the empty postfilled aluminum, glass, and plastic food or drink~~
 32 ~~packaging materials sold in the state, returned for recycling and~~
 33 ~~reported by weight to the department which do not have a refund~~
 34 ~~value.~~

35 ~~(3) An aluminum beverage container redemption rate, the~~
 36 ~~numerator of which shall be the number of empty aluminum~~
 37 ~~beverage containers returned, including refillable aluminum~~
 38 ~~beverage containers and empty postfilled aluminum food or drink~~
 39 ~~packaging material included in paragraph (2), and the denominator~~

1 ~~of which shall be the number of aluminum beverage containers~~
2 ~~sold in this state.~~

3 (4)

4 (3) An aluminum beverage container recycling rate, the
5 numerator of which shall be the number of empty aluminum
6 beverage containers returned for recycling, including refillable
7 aluminum beverage containers, and the denominator of which shall
8 be the number of aluminum beverage containers sold in this state.

9 ~~(5) A bimetal beverage container redemption rate, the numerator~~
10 ~~of which shall be the number of empty bimetal beverage containers~~
11 ~~returned, and the denominator of which shall be the number of~~
12 ~~bimetal beverage containers sold in this state.~~

13 (6)

14 (4) A bimetal beverage container recycling rate, the numerator
15 of which shall be the number of empty bimetal containers returned
16 for recycling, including refillable bimetal beverage containers, and
17 the denominator of which shall be the number of bimetal beverage
18 containers sold in this state.

19 ~~(7) A glass beverage container redemption rate, the numerator~~
20 ~~of which shall be the number of empty glass beverage containers~~
21 ~~returned, including refillable glass beverage containers and empty~~
22 ~~postfilled food or drink packaging materials included in paragraph~~
23 ~~(2), and the denominator of which shall be the number of glass~~
24 ~~beverage containers sold in this state.~~

25 (8)

26 (5) A glass beverage container recycling rate, the numerator of
27 which shall be the number of empty glass beverage containers
28 returned for recycling, including refillable glass beverage
29 containers, and the denominator of which shall be the number of
30 glass beverage containers sold in this state.

31 ~~(9) A plastic beverage container redemption rate, the numerator~~
32 ~~of which shall be the number of empty plastic beverage containers~~
33 ~~returned, including refillable plastic beverage containers and empty~~
34 ~~postfilled food or drink packaging materials included in paragraph~~
35 ~~(2), and the denominator of which shall be the number of plastic~~
36 ~~beverage containers sold in this state.~~

37 (10)

38 (6) A plastic beverage container recycling rate, the numerator
39 of which shall be the number of empty plastic beverage containers
40 returned for recycling, including refillable plastic beverage

1 containers, and the denominator of which shall be the number of
2 plastic beverage containers sold in this state.

3 ~~(11) A redemption rate for other beverage containers, the~~
4 ~~numerator of which shall be the number of empty beverage~~
5 ~~containers other than those containers specified in paragraphs (1)~~
6 ~~to (10), inclusive, returned, and the denominator of which shall be~~
7 ~~the number of beverage containers, other than those containers~~
8 ~~specified in paragraphs (1) to (10), inclusive, sold in this state.~~

9 ~~(12)~~

10 (7) A recycling rate for other beverage containers, the numerator
11 of which shall be the number of empty beverage containers other
12 than those containers specified in paragraphs (1) to ~~(10)~~ (6),
13 inclusive, returned for recycling, and the denominator of which
14 shall be the number of beverage containers, other than those
15 containers specified in paragraphs (1) to ~~(10)~~ (6), inclusive, sold
16 in this state.

17 ~~(13)~~

18 (8) The department may define categories of other beverage
19 containers, and report ~~a redemption rate and~~ a recycling rate for
20 each ~~such category of those categories~~ of other beverage containers.

21 ~~(14)~~

22 (9) The volumes of materials collected from certified recycling
23 centers, by city or county, as requested by the city or county, if
24 the reporting is consistent with the procedures established pursuant
25 to Section 14554 to protect proprietary information.

26 (b) The department shall determine the manner of collecting
27 the information for the reports specified in subdivision (a),
28 including establishing procedures, to protect any proprietary
29 information concerning the sales and purchases.