

ASSEMBLY BILL

No. 1023

Introduced by Assembly Member Eggman

February 22, 2013

An act to amend Section 14549.2 of the Public Resources Code, relating to recycling.

LEGISLATIVE COUNSEL'S DIGEST

AB 1023, as introduced, Eggman. Recycling: beverage containers: payments.

Existing law, the California Beverage Container Recycling and Litter Reduction Act, requires a distributor to pay a redemption payment for every beverage container sold or offered for sale in the state to the Department of Resources Recycling and Recovery for deposit in the California Beverage Container Recycling Fund. The department is authorized to annually expend up to \$10,000,000, or more under specified circumstances, from the fund to make market development payments for empty plastic beverage containers, until January 1, 2017. Existing law specifies procedures and conditions for making those market development payments.

This bill would make technical, nonsubstantive changes to that payment provision.

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

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

- 1 SECTION 1. Section 14549.2 of the Public Resources Code
- 2 is amended to read:

1 14549.2. (a) For purposes of this section, the following
2 definitions shall apply:

3 (1) “Certified entity” means a recycling center, processor, or
4 dropoff or collection program certified *by the department* pursuant
5 to this division.

6 (2) “Product manufacturer” means—~~any~~ a person who
7 manufactures a plastic product in this state.

8 (b) In order to develop California markets for empty plastic
9 beverage containers collected for recycling in the state, the
10 department may, consistent with Section 14581 and subject to the
11 availability of funds, pay a market development payment to a
12 certified entity or product manufacturer for empty plastic beverage
13 containers collected and managed pursuant to this section.

14 (c) The department shall make a market development payment
15 to a certified entity or product manufacturer in accordance with
16 this section; only if the plastic beverage container is collected and
17 either recycled or used in manufacturing, in the state, as follows:

18 (1) The department shall make a market development payment
19 to a certified entity for empty plastic beverage containers that are
20 collected for recycling in the state, that are subsequently washed
21 and processed by a certified entity into a flake, pellet, or other
22 form in the state, and made usable for the manufacture of a plastic
23 product by a product manufacturer.

24 (2) The department shall make a market development payment
25 to a product manufacturer for empty plastic beverage containers
26 that are collected for recycling in the state, that are subsequently
27 washed and processed into a flake, pellet or other form in the state,
28 and used by that product manufacturer to manufacture a product
29 in this state.

30 (3) The department shall determine the amount of the market
31 development payment, which may be set at a different level for a
32 certified entity and a product manufacturer, but shall not exceed
33 one hundred fifty dollars (\$150) per ton. In setting the amount of
34 the market development payment for both certified entities and
35 product manufacturers, the department shall consider all of the
36 following:

37 (A) The minimum funding level needed to encourage the in-state
38 washing and processing of empty plastic beverage containers
39 collected for recycling in this state.

1 (B) The minimum funding level needed to encourage the in-state
2 manufacturing that utilizes empty plastic beverage containers
3 collected for recycling in this state.

4 (C) The total amount of funds projected to be available for
5 plastic market development payments and the desire to maintain
6 the minimum funding level needed throughout the year.

7 (4) The department may make a market development payment
8 to both a certified entity and a product manufacturer for the same
9 empty plastic beverage container.

10 (d) This section shall remain in effect only until January 1, 2017,
11 and as of that date is repealed, unless a later enacted statute, that
12 is enacted before January 1, 2017, deletes or extends that date.