# Beverage Container Legislative Template

# **Purpose and Use of this Template**

This template is intended to help you create a Beverage Container Law (also known as Bottle Bills) that works best for your community. This can only be introduced at the state level. Your bill will help increase the recycling rate of beverage containers and limit the negative impacts caused by beverage container waste in your community.

To create your bill:

1. Keep this downloaded template open on your computer.
2. While you have the template open, go through the toolkit. It is linked here:

[Just Zero’s Beverage Container Legislative Toolkit](https://just-zero.org/beverage-container-legislative-toolkit/)

1. Read through the toolkit to learn more about each section of the bill and the different policy approaches you can select for your bill.
2. Decide which policy approaches meet your goals and objectives.
3. Copy the toolkit’s sample language for your selections and paste it into the right place in this template.
4. Read through your bill and correct any formatting. This includes text color and making sure the number and letter lists are all in numerical or alphabetical order.
5. When you’re finished, you’ll have a custom-made bill that you can take to your elected representatives to try and turn into a law.

# **Template Key**

Black Text: This text is language that is used in every Beverage Container Legislation and **should not be removed** unless it is an optional section that you are choosing not to include in your bill.

Blue Text: This text provides you with guidance on how to use this template. **This text should be deleted.**

Red Text: This text provides guidance on where you should copy the sample language from Just Zero’s Beverage Container Legislation Toolkit and paste it into this template to create your model bill. **This text should be deleted after you finish each section.**

# **Beverage Container Recycling and Reuse Law**

## Section 1: Definitions

To develop this section:

1. Read Section 1 of Just Zero’s Beverage Container Legislation Toolkit;
2. Review the options in Section 1;
3. Select the option that you want to include in your bill; and
4. Copy the sample language for that option and paste it in the right spot below.
5. “Account-based bulk processing program” means a beverage container redemption program implemented by a dealer or redemption center that meets the requirements of rules adopted by the Department, is approved by the Department, consolidates beverage containers subject to the requirements of this act through bulk sorting, collects data regarding each container sorted, provides electronic data reports specifying the number of containers sorted by universal product code along with information regarding the container brand, redemption location, and container material type to support an accounting of deposits, fees, and material weight, and prepares the sorted containers for sale to recyclers.
6. “Beverage” [Insert the definition you selected from Section 1 of Just Zero’s Beverage Container Legislation Toolkit]
7. “Beverage Container” [Insert the definition you selected from Section 1 of Just Zero’s Beverage Container Legislation Toolkit]
8. “Consumer” means any person who purchases a beverage in a beverage container for use or consumption with no intent to resell such beverage.
9. “Curbside Recycling Entity” or “Curbside Recycling Entities” means any person or establishment that collects beverage containers that are placed in the curbside recycling system for processing, sorting, and preparation for recycling.
10. Dealer” means any person who engages in the sale of beverages in beverage containers, including beverage containers sold through a vending machine, to a consumer at the retail level. The term “Dealer” shall not include establishments who sell less than 250,000 beverage containers in a calendar year.
11. “Department” means the [Insert the name of your State Environmental Agency]
12. “Deposit Initiator” means the first distributor to collect the despot on beverage containers sold to any person within the state.
13. “Distributor” means person who engages in the sale of beverages in beverage containers to a dealer in this state and includes a manufacturer who engages in such sales.
14. “Producer Responsibility Organization” means a nonprofit organization that qualifies for a tax exemption under 26 U.S.C. § 501(c)(3) of the Federal Internal Revenue Code and is designated by a group of distributors or beverage producers to fulfill requirements of this Act.
15. “Product Line” means a group of related products all marketed under a single brand name that is sold by the same distributor to distinguish products from each other for better usability for consumers.
16. “Recycle,” “Recycling,” and “Recycled” [Insert the definition you selected from Section 1 of Just Zero’s Beverage Container Legislation Toolkit]
17. “Recycling rate” means the percentage of beverage containers that are recycled.
18. “Redeemer” means any person who demands the refund value provided for herein in exchange for an empty beverage container, but shall not include a dealer.
19. “Redemption Center” means a facility approved or established to redeem empty beverage containers from consumers or to collect and sort empty beverage containers from dealers.
20. “Redemption Rate” means the number of empty beverage containers redeemed for the deposit value and returned to distributors measured against the number of beverage containers sold in the state the same year.
21. “Retailer” means any person, department, partnership, business, facility, vendor, or organization that sells or provides merchandise, goods, or materials directly to a customer.
22. “Reusable” [Insert the definition you selected from Section 1 of Just Zero’s Beverage Container Legislation Toolkit]
23. “Reverse Vending Machine” means an automated device that uses a laser scanner, microprocessor, or other technology to accurately recognize the universal product code on containers to determine if the container is redeemable and accumulates information regarding containers redeemed, including the number of such containers redeemed, thereby enabling the device to accept containers from redeemers, issue a receipt for their refund value, transmit data for reconciliation, sort, and compact the container to cancel it.
24. “Single-Use Beverage Container” means a beverage container that is not conceived, designed, or placed on the market to be reused.
25. “Universal Product Code” or “UPC” means a standard for encoding a set of lines and spaces that can be scanned and interpreted into numbers to identify a product. "Universal Product Code" includes any industry-accepted barcode used for product identification purposes in a manner similar to a UPC, including, but not limited to, a European Article Number.

## Section 2: Deposit Value

To develop this section:

1. Read Section 2 of Just Zero’s Beverage Container Legislation Toolkit;
2. Review the options in Section 2;
3. Select the option that you want to include in your bill; and
4. Copy the sample language for that option and paste it below.

## Section 3: Handling Fee

To develop this section:

1. Read Section 3 of Just Zero’s Beverage Container Legislation Toolkit;
2. Review the options in Section 3;
3. Select the option that you want to include in your bill; and
4. Copy the sample language for that option and paste it below.

## Section 4: Producer Responsibility Organization

If you want to include this section:

1. Read Section 4 of Just Zero’s Beverage Container Legislation Toolkit;
2. Review the options in Section 4;
3. Select the option you want to include in your bill; and
4. Copy the sample language for that option and paste it below.

## Section 5: Acceptance of Beverage Containers

To develop this section:

1. Read Section 5 of Just Zero’s Beverage Container Legislation Toolkit;
2. Review the options in Section 5;
3. Select the option you want to include in your bill; and
4. Copy the sample language for that option and paste it below.

## Section 6: Performance Standards

To develop this section:

1. Read Section 6 of Just Zero’s Beverage Container Legislation Toolkit;
2. Copy the sample language and paste it below; and
3. Adjust the performance standards as needed to fit your state.

## Section 7: Registration, Reporting, and Labeling

To develop this section:

1. Read Section 7 of Just Zero’s Beverage Container Legislation Toolkit;
2. Review the options in Section 7;
3. Select the option you want to include in your bill; and
4. Copy the sample language for that option and paste it below.

## Section 8: Management of Deposits

To develop this section:

1. Read Section 8 of Just Zero’s Beverage Container Legislation Toolkit;
2. Review the options in Section 8;
3. Select the option you want to include in your bill; and
4. Copy the sample language for that option and paste it below.

## Section 9: Elimination of Toxic Substances in Beverage Containers

If you want to include this section:

1. Read Section 9 of Just Zero’s Beverage Container Legislation Toolkit; and
2. Copy the sample language and paste it below.

## Section 10: Rulemaking

To develop this section:

1. Read Section 10 of Just Zero’s Beverage Container Legislation Toolkit; and
2. Copy the sample language and paste it below.

## Section 11: Enforcement

To develop this section:

1. Read Section 11 of Just Zero’s Beverage Container Legislation Toolkit; and
2. Copy the sample language and paste it below.