

# House File 350 - Introduced

HOUSE FILE \_\_\_\_\_  
BY REICHERT

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

## A BILL FOR

1 An Act requiring curbside recycling collection programs in  
2 certain cities.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
4 TLSB 1899YH 83  
5 tm/rj/14

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1 1 Section 1. Section 455B.302, unnumbered paragraphs 1 and  
1 2 2, Code 2009, are amended to read as follows:  
1 3 Every city and county of this state shall provide for the  
1 4 establishment and operation of a comprehensive solid waste  
1 5 reduction program consistent with the waste management  
1 6 hierarchy under section 455B.301A, and a sanitary disposal  
1 7 project for final disposal of solid waste by its residents. A  
1 8 city with a population of more than twenty thousand shall  
1 9 provide a curbside recycling collection program for its  
1 10 residents. Comprehensive programs and sanitary disposal  
1 11 projects may be established either separately or through  
1 12 co-operative efforts for the joint use of the participating  
1 13 public agencies as provided by law.  
1 14 Cities and counties may execute with public and private  
1 15 agencies contracts, leases, or other necessary instruments,  
1 16 purchase land and do all things necessary not prohibited by  
1 17 law for the implementation of waste management programs,  
1 18 collection of solid waste, establishment and operation of  
1 19 sanitary disposal projects, operation of curbside recycling  
1 20 collection programs, and general administration of the same.  
1 21 Any agreement executed with a private agency for the operation  
1 22 of a sanitary disposal project shall provide for the posting  
1 23 of a sufficient surety bond by the private agency conditioned  
1 24 upon the faithful performance of the agreement. A city or  
1 25 county may at any time during regular working hours enter upon  
1 26 the premises of a sanitary disposal project, including the  
1 27 premises of a sanitary landfill, in order to inspect the  
1 28 premises and monitor the operations and general administration  
1 29 of the project to ensure compliance with the agreement and  
1 30 with state and federal laws. This includes the right of the  
1 31 city or county to enter upon the premises of a former sanitary  
1 32 disposal project which has been closed, including the premises  
1 33 of a former sanitary landfill, owned by a private agency, for  
1 34 the purpose of providing required postclosure care.  
1 35 Sec. 2. Section 455D.21, Code 2009, is amended to read as  
2 1 follows:  
2 2 455D.21 LOCAL ORDINANCE == CURBSIDE COLLECTION.  
2 3 A city council for a city with a population of twenty  
2 4 thousand or less or county board of supervisors which provides  
2 5 for the collection of solid waste by its residents shall  
2 6 consider as a proposed ordinance, the mandatory curbside  
2 7 collection of recyclable materials which have been separated  
2 8 from other solid waste. The proposed ordinance shall be  
2 9 considered in accordance with chapter 331 or 380.  
2 10 Sec. 3. IMPLEMENTATION OF ACT. Section 25B.2, subsection  
2 11 3, shall not apply to this Act.  
2 12 EXPLANATION  
2 13 This bill requires a city with a population of more than  
2 14 20,000 to provide a curbside recycling collection program for  
2 15 its residents. The bill allows such cities to contract with  
2 16 public and private agencies to operate curbside recycling  
2 17 collection programs.  
2 18 The bill may include a state mandate as defined in Code  
2 19 section 25B.3. The bill makes inapplicable Code section  
2 20 25B.2, subsection 3, which would relieve a political

2 21 subdivision from complying with a state mandate if funding for  
2 22 the cost of the state mandate is not provided or specified.  
2 23 Therefore, political subdivisions are required to comply with  
2 24 any state mandate included in the bill.  
2 25 LSB 1899YH 83  
2 26 tm/rj/14