

Senate File 2156 - Introduced

SENATE FILE 2156

BY GREENE

A BILL FOR

1 An Act relating to the applicability of beverage containers
2 control provisions to specified beverage containers and the
3 monetary value of deposits and refunds pursuant to those
4 provisions.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 455C.1, subsection 1, Code 2018, is
2 amended to read as follows:

3 1. "*Beverage*" means wine as defined in section 123.3,
4 subsection 47, alcoholic liquor as defined in section 123.3,
5 subsection 5, beer as defined in section 123.3, subsection
6 7, sports drinks, mineral water, soda water, and similar
7 carbonated soft drinks in liquid form and intended for human
8 consumption.

9 Sec. 2. Section 455C.1, Code 2018, is amended by adding the
10 following new subsection:

11 NEW SUBSECTION. 14. "*Sports drink*" means a soft drink
12 designed or marketed for consumption in conjunction with
13 sporting activity or strenuous exercise, and which typically
14 contains electrolytes such as sodium, potassium, and chloride,
15 and a high percentage of sugar to restore energy.

16 Sec. 3. Section 455C.2, subsection 1, Code 2018, is amended
17 to read as follows:

18 1. A refund value of not less than five ten cents shall
19 be paid by the consumer on each beverage container sold in
20 this state by a dealer for consumption off the premises.
21 Upon return of the empty beverage container upon which a
22 refund value has been paid to the dealer or person operating
23 a redemption center and acceptance of the empty beverage
24 container by the dealer or person operating a redemption
25 center, the dealer or person operating a redemption center
26 shall return the amount of the refund value to the consumer.

27 Sec. 4. Section 455C.5, subsection 3, Code 2018, is amended
28 to read as follows:

29 3. The provisions of subsections 1 and 2 of this section do
30 not apply to a refillable glass beverage container which has
31 a brand name permanently marked on it and which has a refund
32 value of not less than five ten cents, to any other refillable
33 beverage container which has a refund value of not less than
34 five ten cents and which is exempted by the director under
35 rules adopted by the commission, or to a beverage container

1 sold aboard a commercial airliner or passenger train for
2 consumption on the premises.

3 EXPLANATION

4 The inclusion of this explanation does not constitute agreement with
5 the explanation's substance by the members of the general assembly.

6 Current law limits beverage containers subject to beverage
7 containers control deposit and refund provisions to containers
8 holding wine, alcoholic liquor, beer, mineral water, soda
9 water, and carbonated soft drinks. When a distributor sells
10 beverages in eligible containers to a dealer, the distributor
11 attaches an extra 5 cents per eligible container to the sale
12 price. When a dealer sells beverages in eligible containers
13 to a consumer, the dealer passes on the 5-cent deposit to the
14 sale price. A consumer can take eligible beverage containers
15 to a dealer, dealer agent, or a redemption center and receive
16 a 5-cent refund for every eligible beverage container that
17 the consumer returns. A distributor collects eligible
18 containers from a dealer, dealer agent, or redemption center,
19 at which time the distributor pays the dealer, dealer agent,
20 or redemption center 5 cents per eligible container plus a
21 handling fee of an additional 1 cent per empty container.

22 This bill expands the list of eligible beverage containers
23 by including "sports drinks" as defined in the bill in the
24 definition of "beverage". Further, the bill increases
25 the refund and deposit amount from 5 cents to 10 cents for
26 all beverage containers subject to the deposit and refund
27 provisions. The bill does not affect the handling fee of
28 1 cent per empty container that a dealer, dealer agent, or
29 redemption center will charge a distributor.