

MAR 15 2005
WAYS AND MEANS

HOUSE FILE 766
BY COMMITTEE ON ENVIRONMENTAL
PROTECTION

(SUCCESSOR TO HF 166)

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to the acceptance of empty beverage containers
2 and the payment and retention of the refund value by dealers
3 of beverages and redemption centers.

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

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HF 766

1 Section 1. Section 455C.2, subsection 1, Code 2005, is
2 amended to read as follows:

3 1. A refund value of not less than five cents shall be
4 paid by the consumer on each beverage container sold in this
5 state by a dealer for consumption off the premises. Upon
6 return of the empty beverage container upon which a refund
7 value has been paid to the dealer or person operating a
8 redemption center and acceptance of the empty beverage
9 container by the dealer or person operating a redemption
10 center, the dealer or person operating a redemption center
11 shall return ~~the amount~~ four cents of the refund value to the
12 consumer and retain one cent of the refund value.

13 Sec. 2. Section 455C.4, subsection 2, Code 2005, is
14 amended by striking the subsection.

15 Sec. 3. Section 455C.7, Code 2005, is amended to read as
16 follows:

17 455C.7 UNAPPROVED REDEMPTION CENTERS.

18 Any person may establish a redemption center ~~which has not~~
19 ~~been approved by the department,~~ at which a consumer may
20 return empty beverage containers and receive payment of the
21 refund value of the beverage containers. The establishment of
22 ~~an unapproved~~ a redemption center shall not relieve any dealer
23 from the responsibility of redeeming any empty beverage
24 containers of the kind and brand sold by the dealer.

25 Sec. 4. Sections 455C.6 and 455C.10, Code 2005, are
26 repealed.

27 EXPLANATION

28 This bill relates to the acceptance of empty beverage
29 containers and the payment and retention of the refund value
30 by dealers of beverages and redemption centers.

31 Currently, upon the return and acceptance of an empty
32 beverage container upon which a refund value of not less than
33 5 cents has been paid, the dealer or person operating a
34 redemption center is required to return the refund value to
35 the consumer. The bill provides that the amount returned to

1 the consumer shall be 4 cents of the refund value and that the
2 dealer or person operating the redemption center may retain 1
3 cent of the refund value.

4 The bill eliminates the ability of a dealer of beverages to
5 refuse to accept any empty beverage container if the place of
6 business of the dealer and the kind and brand of empty
7 beverage containers are included in an order of the department
8 of natural resources approving a redemption center. The bill
9 makes conforming amendments related to the elimination of such
10 approved redemption centers.

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