

HOUSE No. 3289

The Commonwealth of Massachusetts

PRESENTED BY:

Marjorie C. Decker

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act to expand the bottle bill.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Marjorie C. Decker</i>	<i>25th Middlesex</i>	<i>2/19/2021</i>
<i>Michelle L. Ciccolo</i>	<i>15th Middlesex</i>	<i>2/19/2021</i>
<i>Jack Patrick Lewis</i>	<i>7th Middlesex</i>	<i>2/19/2021</i>
<i>David Henry Argosky LeBoeuf</i>	<i>17th Worcester</i>	<i>2/22/2021</i>
<i>Patrick Joseph Kearney</i>	<i>4th Plymouth</i>	<i>2/22/2021</i>
<i>Lori A. Ehrlich</i>	<i>8th Essex</i>	<i>2/24/2021</i>
<i>Natalie M. Blais</i>	<i>1st Franklin</i>	<i>2/25/2021</i>
<i>Jason M. Lewis</i>	<i>Fifth Middlesex</i>	<i>2/25/2021</i>
<i>Jessica Ann Giannino</i>	<i>16th Suffolk</i>	<i>2/25/2021</i>
<i>Steven C. Owens</i>	<i>29th Middlesex</i>	<i>2/25/2021</i>
<i>Sally P. Kerans</i>	<i>13th Essex</i>	<i>2/26/2021</i>
<i>David M. Rogers</i>	<i>24th Middlesex</i>	<i>2/26/2021</i>
<i>David Allen Robertson</i>	<i>19th Middlesex</i>	<i>2/26/2021</i>
<i>Nika C. Elugardo</i>	<i>15th Suffolk</i>	<i>2/26/2021</i>
<i>Daniel J. Ryan</i>	<i>2nd Suffolk</i>	<i>3/10/2021</i>
<i>Carmine Lawrence Gentile</i>	<i>13th Middlesex</i>	<i>3/14/2021</i>
<i>Adrian C. Madaro</i>	<i>1st Suffolk</i>	<i>3/16/2021</i>
<i>Lindsay N. Sabadosa</i>	<i>1st Hampshire</i>	<i>3/16/2021</i>

<i>Ruth B. Balsler</i>	<i>12th Middlesex</i>	<i>3/16/2021</i>
<i>Mindy Domb</i>	<i>3rd Hampshire</i>	<i>3/18/2021</i>
<i>Sean Garballey</i>	<i>23rd Middlesex</i>	<i>3/30/2021</i>
<i>Tram T. Nguyen</i>	<i>18th Essex</i>	<i>4/6/2021</i>
<i>Thomas M. Stanley</i>	<i>9th Middlesex</i>	<i>4/8/2021</i>
<i>Kip A. Diggs</i>	<i>2nd Barnstable</i>	<i>4/13/2021</i>
<i>Tommy Vitolo</i>	<i>15th Norfolk</i>	<i>4/14/2021</i>

HOUSE No. 3289

By Ms. Decker of Cambridge, a petition (accompanied by bill, House, No. 3289) of Marjorie C. Decker and others for legislation to expand the bottle bill to include any drinkable liquid intended for human oral consumption. Telecommunications, Utilities and Energy.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Second General Court
(2021-2022)**

An Act to expand the bottle bill.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Chapter 94 of the General Laws, as appearing in the 2018 Official Edition,
2 is hereby amended in section 321 by striking the definitions of Beverage and Beverage
3 Container, inclusive, and inserting in place thereof the following definitions:-

4 "Beverage", any drinkable liquid intended for human oral consumption. This definition
5 shall not include nutritive drinks including milk (as defined in FDA 21 CFR 131.110), milk
6 substitutes, non-alcoholic fermented drinks and/or non-carbonated fruit juice made by producers
7 who sell less than 100,000 units a year, any drug regulated under the Federal Food, Drug, and
8 Cosmetic Act (21 U.S.C. 301 et seq.), infant formula, or a meal replacement liquid.

9 "Beverage Container", any prepackaged container made of any material, including glass,
10 plastic, metal, or multi-material, the volume of which is not more than 102 ounces. This
11 definition shall not include beverage container packaging that is a carton, a pouch, or aseptic
12 packaging.

13 SECTION 2. Chapter 94 of the General Laws, as appearing in the 2018 Official Edition,
14 is hereby amended in section 322 by striking out the word “five” and inserting in place thereof
15 the word “ten”.

16 SECTION 3. Chapter 94 of the General Laws, as appearing in the 2018 Official Edition,
17 is hereby amended in section 323, in paragraph (b), by inserting after “returned.” the following
18 sentence:- “A redemption center or reverse vending machine is not obligated to count containers
19 or to pay a cash refund at the time the beverage container is returned as long as the amount of the
20 refund value due is placed into an account to be held for the benefit of the consumer and funded
21 in a manner that allows the consumer to obtain deposits due within 2 business days of the time of
22 the return.”

23 SECTION 4. Chapter 94 of the General Laws, as appearing in the 2018 Official Edition,
24 is hereby amended in section 325, paragraph (b), by striking out the word “five” and inserting in
25 place thereof the word “ten”.

26 SECTION 5. Chapter 94 of the General Laws, as appearing in the 2018 Official Edition,
27 is hereby amended in section 326, in the first paragraph, by inserting after “sections” the
28 following:- “and shall review handling fees within one year of the effective date of this act, and
29 every four years thereafter.”

30 SECTION 6. This Act shall take effect on December 31, 2021.