

**SUBSTITUTE FOR
HOUSE BILL NO. 4359**

A bill to amend 2016 PA 389, entitled
"An act to preempt local ordinances regulating the use,
disposition, or sale of, prohibiting or restricting, or imposing
any fee, charge, or tax on certain containers,"
by amending section 1 (MCL 445.591).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. As used in this act:

2 (a) "Auxiliary container", **subject to subdivision (b)**, means a
3 ~~bag~~, cup, bottle, or other packaging, whether reusable or single-
4 use, that meets both of the following requirements:

5 (i) Is made of cloth, paper, plastic, cardboard, corrugated
6 material, aluminum, glass, postconsumer recycled material, or
7 similar material or substrates, including coated, laminated, or



1 multilayer substrates.

2 (ii) Is designed for transporting, consuming, or protecting
3 merchandise, food, or beverages from or at a food service or retail
4 facility.

5 (b) **"Auxiliary container" does not include a bag.**

6 (c) ~~(b)~~—"Local unit of government" means a county, township,
7 city, or village.

