

HOUSE BILL NO. 4444

March 04, 2021, Introduced by Reps. Hertel, Lilly, Manoogian, Sabo, Coleman, Filler, Garza, Hall, Damoose, Steenland, Hood, Brixie, Cambensy, O'Malley, Howell, Liberati, Hauck, Outman, Wozniak, Marino, Clements, Bellino, Tate, Jones and Yancey and referred to the Committee on Regulatory Reform.

A bill to amend 1976 IL 1, entitled

"A petition to initiate legislation to provide for the use of returnable containers for soft drinks, soda water, carbonated natural or mineral water, other nonalcoholic carbonated drink, and for beer, ale, or other malt drink of whatever alcoholic content, and for certain other beverage containers; to provide for the use of unredeemed bottle deposits; to prescribe the powers and duties of certain state agencies and officials; and to prescribe penalties and provide remedies,"

by amending section 3c (MCL 445.573c), as amended by 1996 PA 384.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 3c. (1) ~~There~~**The bottle deposit fund** is created in the

1 department of treasury. ~~a bottle deposit fund which~~ **The fund** is a
2 revolving fund administered by the department of treasury. The
3 money **deposited** in the bottle deposit fund ~~shall~~ **does** not revert to
4 the general fund.

5 (2) The **department of treasury shall deposit the** amount paid
6 to the department of treasury by underredeemers ~~shall be deposited~~
7 ~~by the department of treasury in~~ **into** the bottle deposit fund
8 created in subsection (1) for annual disbursement by the department
9 of treasury in the following manner:

10 (a) **Beginning with the annual disbursement for 2020 and each**
11 **year after 2020, if the amount paid by underredeemers for a**
12 **calendar year exceeds \$50,000,000.00, the department of treasury**
13 **may disburse an amount up to the total amount of the credits**
14 **claimed under sections 279 and 679 of the income tax act of 1967,**
15 **1967 PA 281, MCL 206.279 and 206.679, for the corresponding year to**
16 **the general fund and then disburse the balance of the funds**
17 **remaining in the bottle deposit fund after a disbursement under**
18 **this subdivision as required under subdivisions (b) and (c).**

19 (b) ~~(a)~~ Seventy-five percent to the cleanup and redevelopment
20 trust fund created in section 3e.

21 (c) ~~(b)~~ Twenty-five percent to dealers to be apportioned to
22 each dealer on the basis of the number of empty returnable
23 containers handled by a dealer as determined by the department of
24 treasury.

25 (3) Not later than June 1 of each year, the department of
26 treasury shall publish and make available to the public information
27 related to section 3b(1) and send a report of that information to
28 the legislature.

29 (4) ~~The~~ **If the department of treasury determines that rules**

1 **are needed to properly implement and administer sections 3a to 3d,**
2 **the** department ~~of treasury~~ may promulgate rules to implement **and**
3 **administer those** sections 3a to 3d pursuant to ~~under~~ the
4 administrative procedures act of 1969, ~~Act No. 306 of the Public~~
5 ~~Acts of 1969, being sections 24.201 to 24.328 of the Michigan~~
6 ~~Compiled Laws, if the department of treasury determines that rules~~
7 ~~are needed to properly implement and administer sections 3a to~~
8 ~~3d.~~ **1969 PA 306, MCL 24.201 to 24.328.**

9 Enacting section 1. This amendatory act takes effect 90 days
10 after the date it is enacted into law.