

Act No. 139  
Public Acts of 2021  
Approved by the Governor  
December 23, 2021  
Filed with the Secretary of State  
December 27, 2021  
EFFECTIVE DATE: March 27, 2022

**STATE OF MICHIGAN  
101ST LEGISLATURE  
REGULAR SESSION OF 2021**

**Introduced by Reps. Mueller, Fink, Posthumus, Bezotte, Bellino, Martin, Borton, Yaroach, Beson, Lightner, Hertel, Clements, Sneller, Aiyash, Hood, Kahle, Tyrone Carter, Steenland, Liberati, Roth, Garza, Damoose, Lilly, Cherry, Green, Sabo, Tate, Filler, Witwer, Brann, Huizenga, Meerman, Tisdell, Haadsma, Slaght, Weiss, Clemente, Neeley, Stone, Rabhi and Beeler**

## **ENROLLED HOUSE BILL No. 4780**

AN ACT 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:*

Sec. 3c. (1) The bottle deposit fund is created in the department of treasury. The fund is a revolving fund administered by the department of treasury. The money deposited in the bottle deposit fund does not revert to the general fund.

(2) The bottle bill enforcement fund is created in the department of treasury. The fund is a revolving fund administered by the department of treasury. The money deposited in the bottle bill enforcement fund does not revert to the general fund.

(3) The department of treasury shall deposit the amount paid to the department of treasury by underredeemers into the bottle deposit fund created in subsection (1) for annual disbursement by the department of treasury in the following manner:

(a) The first \$1,000,000.00 to the bottle bill enforcement fund created in subsection (2). The department of treasury shall disburse the money deposited into the bottle bill enforcement fund to the department of state police for use in enforcing this act and investigating violations of this act. If the bottle bill enforcement fund balance at the end of the fiscal year is greater than \$3,000,000.00, deposits in the fund required under this subdivision are suspended until the fund balance falls below \$2,000,000.00.

(b) After the disbursement of the first \$1,000,000.00 to the bottle bill enforcement fund as described in subdivision (a), the remaining amount must be disbursed as follows:

(i) Seventy-five percent to the cleanup and redevelopment trust fund created in section 3e.

(ii) Twenty-five percent to dealers to be apportioned to each dealer on the basis of the number of empty returnable containers handled by a dealer as determined by the department of treasury.

(4) Three years after the effective date of the amendatory act that added this subsection, the department of state police shall report to the legislature on the efficacy of the state police in enforcing this act. The report must contain at least the minimum number of beverage and deposit containers seized and the deposit value in this state of those containers.

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

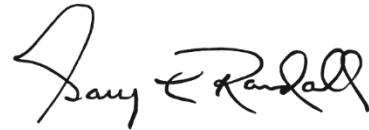
(6) If the department of treasury determines that rules are needed to properly implement and administer sections 3a to 3d, the department may promulgate rules to implement and administer those sections under the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328.

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

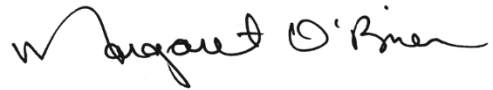
Enacting section 2. This amendatory act does not take effect unless all of the following bills of the 101st Legislature are enacted into law:

- (a) House Bill No. 4781.
- (b) House Bill No. 4783.
- (c) House Bill No. 4782.

This act is ordered to take immediate effect.



Clerk of the House of Representatives



Secretary of the Senate

Approved \_\_\_\_\_

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Governor