



General Assembly

**Amendment**

January Session, 2001

LCO No. 6920

Offered by:  
REP. BERNHARD, 136<sup>th</sup> Dist.

To: Subst. House Bill No. 6754      File No. 300      Cal. No. 244

*(As Amended)*

**"AN ACT CONCERNING NATURAL RESOURCES PROGRAMS OF  
THE DEPARTMENT OF ENVIRONMENTAL PROTECTION."**

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1      After line 597, insert the following:

2      "Sec. 18. Section 22a-243 of the general statutes is repealed and the  
3      following is substituted in lieu thereof:

4      For purposes of sections 22a-243 to 22a-245, inclusive:

5      (1) "Beverage" means (A) beer or other malt beverages and mineral  
6      waters, soda water and similar carbonated soft drinks in liquid form  
7      and intended for human consumption that is packaged in a beverage  
8      container, and (B) any other nondairy or nonsoy liquid intended for  
9      humans to drink that is packaged in a beverage container other than a  
10     carton that is (i) greater than or equal to eight fluid ounces and less  
11     than or equal to twenty-four fluid ounces, or (ii) equal to one or two  
12     liters. "Beverage" does not mean infant formula, wine, as defined in

13 section 30-1 of the general statutes, spirits, as defined in section 30-1,  
14 meal replacement drinks with a protein content of greater than or  
15 equal to twelve per cent of the product, or liquids used for medicinal  
16 purposes;

17 (2) "Beverage container" means the individual, separate, sealed  
18 glass, metal or plastic bottle, can, jar or carton containing a beverage;

19 (3) "Consumer" means every person who purchases a beverage in a  
20 beverage container for use or consumption;

21 (4) "Dealer" means every person who engages in the sale of  
22 beverages in beverage containers to a consumer;

23 (5) "Distributor" means every person who engages in the sale of  
24 beverages in beverage containers to a dealer in this state including any  
25 manufacturer who engages in such sale and includes a dealer who  
26 engages in the sale of beverages in beverage containers on which no  
27 deposit has been collected prior to retail sale;

28 (6) "Manufacturer" means every person bottling, canning or  
29 otherwise filling beverage containers for sale to distributors or dealers;

30 (7) "Place of business of a dealer" means the location at which a  
31 dealer sells or offers for sale beverages in beverage containers to  
32 consumers;

33 (8) "Redemption center" means any facility established to redeem  
34 empty beverage containers from consumers or to collect and sort  
35 empty beverage containers from dealers and to prepare such  
36 containers for redemption by the appropriate distributors;

37 (9) "Use or consumption" includes the exercise of any right or power  
38 over a beverage incident to the ownership thereof, other than the sale  
39 or the keeping or retention of a beverage for the purposes of sale;

40 (10) "Nonrefillable beverage container" means a beverage container  
41 which is not designed to be refilled and reused in its original shape.

42 Sec. 19. Section 22a-244 of the general statutes is repealed and the  
43 following is substituted in lieu thereof:

44 (a) Every beverage container sold or offered for sale in this state,  
45 except beverage containers sold or offered for sale for consumption on  
46 an interstate passenger carrier, shall have a refund value. Such refund  
47 value shall not be less than five cents and shall be a uniform amount  
48 throughout the distribution process in this state.

49 (b) Every beverage container sold or offered for sale in this state,  
50 except beverage containers sold or offered for sale for consumption on  
51 an interstate passenger carrier, shall clearly indicate by embossing or  
52 by a stamp or by a label or other method securely affixed to the  
53 beverage container (1) either the refund value of the container or the  
54 words "return for deposit" or "return for refund" or other words as  
55 approved by the Department of Environmental Protection, and (2)  
56 either the word "Connecticut" or the abbreviation "Ct.", provided this  
57 subdivision shall not apply to glass beverage containers permanently  
58 marked or embossed with a brand name.

59 (c) No person shall sell or offer for sale in this state any metal  
60 beverage container (1) a part of which is designed to be detached in  
61 order to open such container, or (2) that is connected to another  
62 beverage container by a device constructed of a material which does  
63 not decompose by photodegradation, chemical degradation or  
64 biodegradation within a reasonable time after exposure to the  
65 elements.

66 (d) This section shall not apply to persons who sell, for a profit, less  
67 than thirty thousand units of noncarbonated water in a beverage  
68 container per year.

69 Sec. 20. Subsection (b) of section 22a-245 of the general statutes is  
70 repealed and the following is substituted in lieu thereof:

71 (b) A dealer shall not refuse to accept at such dealer's place of  
72 business, from any person any empty beverage containers of the kind,

73 size and brand sold by the dealer, or refuse to pay to such person the  
74 refund value of a beverage container as established by subsection (a) of  
75 section 22a-244 unless (1) such container contains materials which are  
76 foreign to the normal contents of the container or unless such container  
77 is not labeled in accordance with subsection (b) of section 22a-244, [or  
78 unless] (2) such dealer sponsors, solely or with others, a redemption  
79 center which is located within a one-mile radius of such place of  
80 business and which accepts beverage containers of the kind, size and  
81 brand sold by such dealer at such place of business, [or unless] (3)  
82 there is established by others, a redemption center which is located  
83 within a one-mile radius of such place of business and which accepts  
84 beverage containers of the kind, size and brand sold by such dealer at  
85 such place of business, or (4) the retail selling space of such dealer is  
86 less than or equal to five thousand square feet. A dealer shall redeem  
87 an empty container of a kind, size or brand the sale of which has been  
88 discontinued by such dealer for not less than sixty days after the last  
89 sale by the dealer of such kind, size or brand of beverage container.  
90 Sixty days before such date, the dealer shall post, at the point of sale,  
91 notice of the last date on which the discontinued kind, size or brand of  
92 beverage container shall be redeemed.

93 Sec. 21. (NEW) The Committee on Legislative Management shall, by  
94 January 1, 2002, implement a program that provides for the  
95 redemption or recycling of beverage containers, as defined in section  
96 22a-243 of the general statutes, as amended by this act."