



General Assembly

January Session, 2023

Raised Bill No. 895

LCO No. 3036



Referred to Committee on ENVIRONMENT

Introduced by:
(ENV)

AN ACT CONCERNING DEPOSIT INITIATOR ACCOUNTS AND CARBONATED BEVERAGES.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subdivision (1) of section 22a-243 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective from*
3 *passage*):

4 (1) "Carbonated beverage" means beer or other malt beverages, hard
5 seltzer, hard cider and mineral waters, soda water and similar
6 carbonated soft drinks in liquid form and intended for human
7 consumption. "Carbonated beverage" does not include spirit-based
8 beverages or canned cocktails;

9 Sec. 2. Section 22a-244 of the general statutes, as amended by section
10 2 of public act 21-58 and section 9 of public act 22-1 of the November
11 special session, is repealed and the following is substituted in lieu
12 thereof (*Effective January 1, 2024*):

13 (a) (1) Every beverage container containing a carbonated beverage
14 sold or offered for sale in this state, except for any such beverage

15 containers sold or offered for sale for consumption on an interstate
16 passenger carrier, shall have a refund value. Such refund value shall not
17 be less than ten cents and shall be a uniform amount throughout the
18 distribution process in this state. (2) Every beverage container
19 containing a noncarbonated beverage sold or offered for sale in this state
20 shall have a refund value, except for beverage containers containing a
21 noncarbonated beverage that are (A) sold or offered for sale for
22 consumption on an interstate passenger carrier, or (B) that comprise any
23 dealer's existing inventory as of March 31, 2009. Such refund value shall
24 not be less than ten cents and shall be a uniform amount throughout the
25 distribution process in this state.

26 (b) Every beverage container sold or offered for sale in this state, that
27 has a refund value pursuant to subsection (a) of this section, shall clearly
28 indicate by embossing or by a stamp or by a label or other method
29 securely affixed to the beverage container (1) either the refund value of
30 the container or the words "return for deposit" or "return for refund" or
31 other words as approved by the Department of Energy and
32 Environmental Protection, and (2) either the word "Connecticut" or the
33 abbreviation "Ct.", provided this subdivision shall not apply to glass
34 beverage containers permanently marked or embossed with a brand
35 name. The provisions of this subsection shall not apply to any beverage
36 container that comprises any dealer's inventory as of December 31, 2022,
37 provided such beverage container was not required to have a refund
38 value as of such date pursuant to the provisions of section 22a-243, as
39 amended by this act, and this section. Nothing in this subsection shall
40 be construed to prohibit the sale or offering for sale of any beverage
41 container that is embossed, stamped, labeled or otherwise affixed with
42 a refund value of five cents, provided such beverage container
43 comprises any dealer's inventory as of December 31, 2023.

44 (c) No person shall sell or offer for sale in this state any metal
45 beverage container (1) a part of which is designed to be detached in
46 order to open such container, or (2) that is connected to another
47 beverage container by a device constructed of a material which does not
48 decompose by photodegradation, chemical degradation or

49 biodegradation within a reasonable time after exposure to the elements.

50 (d) On and after January 1, 2024, each beverage container sold or
51 offered for sale in this state that has a refund value pursuant to
52 subsection (a) of this section, shall include a Universal Product Code
53 and barcode. Each deposit initiator shall provide such Universal
54 Product Code and barcode, with packaging information, to the reverse
55 vending machine system administrators and other system operators,
56 not less than thirty days prior to placement of any such beverage
57 container on the market.

58 Sec. 3. Subsection (d) of section 22a-245a of the general statutes is
59 repealed and the following is substituted in lieu thereof (*Effective from*
60 *passage*):

61 (d) (1) On or before April 30, 2009, each deposit initiator shall pay the
62 balance outstanding in the special account that is attributable to the
63 period from December 1, 2008, to March 31, 2009, inclusive, to the
64 Commissioner of Energy and Environmental Protection for deposit in
65 the General Fund. Thereafter, the balance outstanding in the special
66 account that is attributable to the immediately preceding calendar
67 quarter shall be paid by the deposit initiator one month after the close
68 of such quarter to the Commissioner of Energy and Environmental
69 Protection for deposit in the General Fund. If the amount of the required
70 payment pursuant to this subdivision is not paid by the date seven days
71 after the due date, a penalty of ten per cent of the amount due shall be
72 added to the amount due. The amount due shall bear interest at the rate
73 of one and one-half per cent per month or fraction thereof, from the due
74 date. Any such penalty or interest shall not be paid from funds
75 maintained in the special account.

76 (2) On or before October 31, 2010, each deposit initiator shall pay the
77 balance outstanding in the special account that is attributable to the
78 period from July 1, 2010, to September 30, 2010, inclusive, to the
79 Commissioner of Revenue Services for deposit in the General Fund.
80 Subsequently, for the fiscal year ending June 30, 2023, ninety-five per

81 cent of the balance outstanding in the special account that is attributable
82 to the immediately preceding calendar quarter shall be paid by the
83 deposit initiator on or before the last day of the month next succeeding
84 the close of such quarter to the Commissioner of Revenue Services for
85 deposit in the General Fund, for the fiscal year ending June 30, 2024,
86 sixty-five per cent of the balance outstanding in the special account that
87 is attributable to the immediately preceding calendar quarter shall be
88 paid by the deposit initiator on or before the last day of the month next
89 succeeding the close of such quarter to the Commissioner of Revenue
90 Services for deposit in the General Fund, for the fiscal year ending June
91 30, 2025, fifty-five per cent of the balance outstanding in the special
92 account that is attributable to the immediately preceding calendar
93 quarter shall be paid by the deposit initiator on or before the last day of
94 the month next succeeding the close of such quarter to the
95 Commissioner of Revenue Services for deposit in the General Fund and
96 for the fiscal year ending June 30, 2026, and each subsequent fiscal year
97 thereafter, forty-five per cent of the balance outstanding in the special
98 account that is attributable to the immediately preceding calendar
99 quarter shall be paid by the deposit initiator on or before the last day of
100 the month next succeeding the close of such quarter to the
101 Commissioner of Revenue Services for deposit in the General Fund. If
102 the amount of the required payment pursuant to this subdivision is not
103 paid on or before the due date, a penalty of ten per cent of the amount
104 due and unpaid, or fifty dollars, whichever is greater, shall be imposed.
105 The amount due and unpaid shall bear interest at the rate of one per cent
106 per month or fraction thereof, from the due date. Any such penalty or
107 interest shall not be paid from funds maintained in such special account.
108 Such required payment shall be made by electronic funds transfer to the
109 Commissioner of Revenue Services, in the manner provided by chapter
110 228g.

111 (3) Notwithstanding the provisions of subdivision (2) of this
112 subsection, the balances outstanding in the special account that are
113 attributable to the calendar quarters commencing July 1, 2023, and
114 October 1, 2023, shall not be paid by the deposit initiator on or before

115 the last day of the month next succeeding the close of such quarters to
116 the Commissioner of Revenue Services for deposit in the General Fund.
117 Such balances shall be retained in the special account by the deposit
118 initiator for the purpose of reimbursement of the ten cents refund value
119 for a redeemed beverage container in accordance with the provisions of
120 subsection (b) of this section and section 22a-244, as amended by this
121 act.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	22a-243(1)
Sec. 2	<i>January 1, 2024</i>	22a-244
Sec. 3	<i>from passage</i>	22a-245a(d)

Statement of Purpose:

To clarify the definition of carbonated beverage, enable the sale of certain labeled beverage containers after January 1, 2024, and authorize temporary reserves in deposit initiator accounts for future increased refund values.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]