

**Proposed Substitute  
Bill No. 6664**

January Session, 2023

LCO No. 6312

**AN ACT CONCERNING MANAGING WASTE AND CREATING A  
WASTE AUTHORITY.**

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

1 Section 1. (*Effective October 1, 2023*) For the purposes of this section:

2 (1) "Break-even point" means the minimum number of reuses after  
3 which a covered material designed for reuse is environmentally  
4 preferable to a comparable covered material intended for discard after  
5 a single use;

6 (2) "Commissioner" means the Commissioner of Energy and  
7 Environmental Protection;

8 (3) "Covered materials" means packaging, packaging-like products  
9 and paper materials. "Covered materials" does not include any material  
10 that could become unsafe or unsanitary to recycle by virtue of the  
11 anticipated use of the material or design of the material, as provided for  
12 in the stewardship plan approved pursuant to this section;

13 (4) "Department" means the Department of Energy and  
14 Environmental Protection;

15 (5) "Packaging" means any container or material used for the  
16 containment, protection, handling, delivery or presentation of goods  
17 that are intended for the consumer market, including through an  
18 Internet transaction. "Packaging" does not include: (A) Any container or  
19 material used for the multiyear protection or storage of a product; (B)

20 any beverage container subject to the provisions of section 22a-243 of  
21 the general statutes; (C) any container for architectural paint, as defined  
22 in section 22a-904 of the general statutes, that is recycled through a paint  
23 stewardship program that is in operation and that has been approved  
24 by the department pursuant to section 22a-904a of the general statutes;  
25 or (D) any other containers or materials collected through any other  
26 stewardship program;

27 (6) "Packaging-like products" means the following products that are  
28 intended for the consumer market, including through an Internet  
29 transaction, that are not packaging and are ordinarily discarded after a  
30 single use or short-term use, whether or not they could be reused: (A)  
31 Food containers, including, but not limited to, take-out food containers,  
32 (B) foil and wraps, (C) bags, (D) boxes, (E) straws and items used to stir  
33 beverages, (F) utensils, plates, bowls and cups, (G) party supplies, and  
34 (H) objects purchased by or supplied to consumers expressly for the  
35 purpose of protecting, containing or transporting commodities or  
36 products;

37 (7) "Packaging stewardship program" or "program" means a program  
38 implemented under this section by a responsible party or stewardship  
39 organization;

40 (8) "Paper materials" means paper that is not packaging and that is  
41 printed with text or graphics or intended to be printed with text or  
42 graphics as a medium for communicating information, including, but  
43 not limited to: (A) Newsprint and inserts; (B) magazines and catalogs;  
44 (C) paper used for copying, writing or other general use; (D) telephone  
45 directories; (E) flyers; (F) brochures; and (G) booklets. "Paper materials"  
46 does not include bound reference, literary or textbooks;

47 (9) "Stewardship plan" or "plan" means a plan described in subsection  
48 (e) of this section that describes the manner in which a packaging  
49 stewardship program will be administered and operated;

50 (10) "Post-consumer recycled material" means a material or product

51 that was made or manufactured from materials that have completed  
52 their intended end use and product life cycle, from households or by  
53 commercial, industrial or institutional facilities and that have been  
54 separated from the solid waste stream for the purposes of collection and  
55 recycling;

56 (11) "Post-consumer recycled content" means the amount of post-  
57 consumer recyclable material used in the manufacture or production of  
58 a new product. "Post-consumer recycled content" does not include  
59 preconsumer or post-industrial secondary material, including, but not  
60 limited to, by-products or materials generated from, and commonly  
61 used within, an original manufacturing and fabrication process;

62 (12) "Reasonable rate" means the funding rate calculated and  
63 dispersed by a responsible party or stewardship organization using a  
64 formula approved by the Commissioner of Energy and Environmental  
65 Protection and that may vary for: (A) Any municipality that elects to  
66 collect, transport, process and market covered materials through its own  
67 municipal crew or fleet, (B) any municipality that elects to provide for  
68 collection, transportation, processing and marketing of covered  
69 materials through a contract with a service provider, or (C) a service  
70 provider that collects, transports, processes and markets covered  
71 materials through a subscription. "Reasonable rate" for a municipality  
72 includes consideration of (i) the cost to collect, transport, process and  
73 market covered materials, (ii) the cost to collect and transport covered  
74 materials, container rental and fund staff at a transfer station, and (iii)  
75 population density of the municipality;

76 (13) "Recycling" means the transforming or remanufacturing of a  
77 covered material or a covered material's components and by-products  
78 into usable or marketable materials in lieu of virgin materials.  
79 "Recycling" does not include landfill disposal, incineration, energy  
80 recovery or energy generation by means of combustion, or final  
81 conversion to a fuel, of a covered material or covered material's  
82 components and by-products. "Recycling" for plastics includes a

83 feedstock that is converted to a raw material that is used for the  
84 manufacture of new products;

85 (14) "Recycled" means: (A) For sorted glass, that such material does  
86 not require further processing before entering a glass furnace or before  
87 use in the production of filtration media, abrasive materials, glass fiber  
88 insulation or construction materials; (B) for sorted metal, that such  
89 material does not require further processing before entering a smelter  
90 or furnace; (C) for sorted paper, that such material does not require  
91 further processing before entering a pulping operation; and (D) for  
92 sorted plastic, that such material does not require further processing  
93 before entering a pelletization, extrusion or molding operation or, in the  
94 case of plastic flakes, that such material does not require further  
95 processing before use in a final product;

96 (15) "Responsible party" means any person that is determined to be  
97 the responsible party for a covered material, as described in subsection  
98 (b) of this section;

99 (16) "Retailer" means any person who sells or offers for sale a product  
100 to a consumer, including sales made through an Internet transaction to  
101 be delivered to a consumer in this state;

102 (17) "Reuse" or "reusable" means, with respect to a covered material,  
103 that the covered material (A) is capable of being refilled or reused for its  
104 original purpose and the responsible party or a designated third party  
105 for that covered material provides a program for the consumer to refill  
106 the covered material; or (B) the responsible party or a designated third  
107 party for that covered material provides a program where the covered  
108 material is collected and refilled or reused by the responsible party or  
109 another responsible party, provided such program meets or exceeds any  
110 recovery, recycling and reuse performance goals established pursuant  
111 to this section and such covered materials are designed to be reused and  
112 refilled within the material's life cycle to the break-even point with a  
113 comparable discarded covered material; and

114 (18) "Stewardship organization" means a nonprofit organization,  
115 association or entity that assumes the responsibilities, obligations and  
116 liabilities under this section of multiple responsible parties for covered  
117 materials.

118 (b) The responsible party for a covered material shall be determined  
119 as follows:

120 (1) For covered materials sold, offered for sale or distributed at a  
121 physical retail location in the state: (A) The responsible party is the  
122 person who manufactures the covered material or good sold in covered  
123 material if the covered material or good is sold under the manufacturer's  
124 own brand or is sold in covered materials that lack identification of a  
125 brand; (B) if the covered material or good is manufactured by a person  
126 other than the brand owner, the responsible party is the person that is  
127 the licensee of a brand or trademark under which the covered material  
128 or good is used in a commercial enterprise, sold, offered for sale or  
129 distributed in or into this state, whether or not the trademark is  
130 registered in this state; and (C) if there is no person described in  
131 subparagraph (A) or (B) of this subdivision within the United States, the  
132 responsible party is the person that imports the covered material or  
133 good into the United States for use in a commercial enterprise that sells,  
134 offers for sale or distributes the covered material or good into this state.

135 (2) For covered materials sold or distributed in or into this state via  
136 remote sale or distribution: (A) The responsible party for a covered  
137 material used to directly protect or contain a good, whether or not the  
138 good is a covered material, is the same as the responsible party for  
139 purposes of subdivision (1) of this subsection, and (B) the responsible  
140 party for the covered material used to ship a good to a consumer,  
141 whether or not the good is a covered material, is the person that offers  
142 the good for sale or distribution if there is not otherwise an identified  
143 brand that appears on the covered material.

144 (c) On or before January 1, 2025, any responsible party or stewardship  
145 organization authorized to operate and administer a program on its

146 behalf that intends to submit a stewardship plan pursuant to subsection  
147 (e) of this section shall register with the Commissioner of Energy and  
148 Environmental Protection, provided any responsible party or  
149 stewardship organization operating on behalf of responsible parties  
150 may submit a registration for approval to the commissioner in  
151 accordance with this subsection after January 1, 2025. A responsible  
152 party shall only participate in one stewardship organization for each of  
153 such party's type of covered material. Such registration shall be on a  
154 form prescribed by the commissioner and shall: (1) Identify each  
155 responsible party that intends to authorize the stewardship  
156 organization to operate and administer a program on its behalf, (2)  
157 provide the name, address and contact information of any person  
158 responsible for ensuring the responsible party or stewardship  
159 organization and the responsible parties that have authorized the  
160 stewardship organization to operate a program on such parties' behalf  
161 comply with the requirements of this section, and (3) describe a scope of  
162 work for a study conducted by a third party that the responsible party  
163 or stewardship organization intends to fund to assess recycling and  
164 covered materials management needs in the state. Such scope of work  
165 may build on the plan developed pursuant to section 22a-228 of the  
166 general statutes to assess (A) the current rates of recycling for each  
167 covered material with regard to the performance goals described in this  
168 section, to the extent available, (B) current funding needs affecting  
169 recycling access and availability in the state, (C) the capacity, costs and  
170 needs associated with the collection, transportation and processing of  
171 covered materials in the state, (D) the net cost of end-of-life management  
172 of discarded covered materials, including the cost of collection,  
173 transportation and processing of recyclables and municipal solid waste  
174 incinerated or landfilled inside or outside the state, (E) the availability  
175 of opportunities in the recycling and reuse systems for minority and  
176 women-owned businesses, (F) barriers affecting recycling access and  
177 availability in the state, (G) barriers to the marketability of recyclable  
178 materials generated in the state, (H) opportunities for the creation of  
179 packaging reuse and refill programs in the state, and (I) consumer

180 education needs in the state with respect to recycling and reducing  
181 contamination in collected covered materials. The commissioner shall  
182 make a determination whether to approve the scope of work required  
183 by subdivision (3) of this subsection. In the event that the commissioner  
184 disapproves such scope of work because it does not meet the  
185 requirements of said subdivision, the commissioner shall notify, in  
186 writing, the responsible party or stewardship organization of the  
187 reasons for disapproval. The responsible party or stewardship  
188 organization shall revise and resubmit the scope of work to the  
189 commissioner not later than thirty days after receipt of notice of the  
190 commissioner's disapproval notice. Not later than thirty days after  
191 receipt of the revised scope of work, the commissioner shall review and  
192 approve or disapprove the revised scope of work, and provide a notice  
193 of determination to the responsible party or stewardship organization.  
194 The responsible party or stewardship organization may resubmit a  
195 revised scope of work to the commissioner for approval on not more  
196 than one occasion. If the responsible party or stewardship organization  
197 fails to submit a scope of work that is acceptable to the commissioner  
198 because it does not meet the requirements of subdivision (3) of this  
199 subsection, the commissioner shall modify a submitted scope of work to  
200 make it conform to the requirements of said subdivision and approve it.  
201 In deciding whether to approve any such scope of work, the  
202 commissioner may consider prior registrations submitted by any  
203 responsible party or stewardship organization. After the commissioner  
204 approves a scope of work for a study, the responsible party or  
205 stewardship organization shall cause such study to be conducted.

206 (d) (1) Not later than one hundred eighty days after a responsible  
207 party or stewardship organization registers with the Commissioner of  
208 Energy and Environmental Protection, the responsible party or  
209 stewardship organization shall establish and nominate members to an  
210 advisory committee to advise and provide comment to the responsible  
211 party or stewardship organization regarding any plan prior to approval,  
212 and any substantive changes to a program prior to submission in  
213 accordance with the provisions of this section. Such advisory committee

214 shall meet not less than once a year or more frequently as needed, and  
215 shall review any plans, revisions to a plan or substantive changes to a  
216 plan prior to submission of such plan, revisions or changes to the  
217 commissioner in accordance with the provisions of this section. The  
218 advisory committee shall assume the responsibilities assigned to it  
219 under this section for any and all subsequent responsible parties or  
220 stewardship organizations.

221 (2) Any such advisory committee shall include, at a minimum (A) the  
222 Commissioner of Energy and Environmental Protection, or the  
223 commissioner's designee, (B) a representative from a municipal  
224 association or municipal government, (C) a representative of a regional  
225 or municipal waste management program, (D) an individual with  
226 expertise in the development of recycling markets, (E) a representative  
227 of a materials recycling facility located in the state, (F) a representative  
228 of waste haulers or a regional waste management and recycling  
229 organization, (G) a representative of a state-wide retail association, (H)  
230 a representative of a nonprofit environmental advocacy organization, (I)  
231 a representative of a community-based organization or an organization  
232 representing equity and underrepresented stakeholders, (J) a  
233 representative of a nonprofit organization dedicated to litter cleanup,  
234 (K) an individual with expertise in environmental and human health,  
235 (L) a representative of a manufacturer of packaging, (M) a  
236 representative of a material supplier, and (N) a representative of  
237 responsible parties.

238 (3) The Commissioner of Energy and Environmental Protection shall  
239 approve all nominations to any such advisory committee and may add  
240 new members to such advisory committee at the commissioner's  
241 discretion. The commissioner may not approve an advisory committee  
242 member to fulfill more than one of the membership categories provided  
243 for in subdivision (2) of this subsection.

244 (e) On or before January 1, 2026, a responsible party or a stewardship  
245 organization authorized to operate and administer a program on behalf



246 of responsible parties shall submit a stewardship plan for the  
247 establishment of a packaging stewardship program described in this  
248 subsection to the Commissioner of Energy and Environmental  
249 Protection for approval. Any such packaging stewardship program  
250 shall: (1) Minimize public sector involvement in the management of  
251 covered materials, (2) to the greatest extent technologically feasible and  
252 economically practical, manage covered materials in accordance with  
253 the sustainable materials management priority provided for in  
254 subsection (b) of section 22a-228 of the general statutes, (3) minimize  
255 greenhouse gas emissions from the life cycles of covered materials and  
256 from program operation, (4) negotiate and execute agreements to  
257 collect, transport and process covered materials using environmentally  
258 sound management practices, (5) provide for convenient and accessible  
259 state-wide collection of covered materials that shall be at least as  
260 convenient as the collection methods used as of the effective date of this  
261 section, (6) ensure meaningful and continuous improvement of the  
262 program, (7) develop and equitably assign to responsible parties a fee  
263 sufficient to cover the costs of operating and administering the program  
264 consistent with the requirements of this section, (8) provide technical  
265 assistance to municipalities, regional associations, waste and recycling  
266 collectors, transporters and processors and any other entity that  
267 participates in the packaging stewardship program, as needed to  
268 achieve compliance with the performance goals described in this  
269 section, (9) provide for investment in existing and future reuse  
270 programs, recycling infrastructure and end-market development in the  
271 state, as needed to achieve compliance with the performance goals  
272 described in this section, (10) provide consistent and ongoing outreach,  
273 education and communication to consumers throughout the state  
274 regarding participation in the program, and (11) for covered materials,  
275 ensure compliance with sections 22a-255h to 22a-255m, inclusive, of the  
276 general statutes and ensure continuous and meaningful reduced  
277 toxicity of covered materials.

278 (f) Any stewardship plan submitted pursuant to this section shall be  
279 submitted on a form prescribed by the Commissioner of Energy and

280 Environmental Protection and shall: (1) Identify each responsible party  
281 that authorized the stewardship organization to operate and administer  
282 the program on the party's behalf and the brands and types of covered  
283 materials of the responsible parties participating in the stewardship  
284 organization, (2) provide the name, address and contact information of  
285 each person responsible for ensuring the stewardship organization and  
286 the responsible parties that have authorized the stewardship  
287 organization to operate such program on their behalf in compliance  
288 with the provisions of this section, (3) include the results from the study  
289 conducted pursuant to subsection (c) of this section, (4) describe how  
290 the program will fund the net costs associated with the collection,  
291 transportation, processing and marketing of covered materials,  
292 including payments to public and private entities at a reasonable rate,  
293 (5) propose state-wide performance goals, and a justification for each  
294 goal, for each type of covered material sold in the state to be achieved  
295 not later than five years after the implementation date of the program.  
296 Such performance goals shall be technologically feasible and  
297 economically practical and shall include (A) a minimum reduction rate  
298 measured as the total reduction in the weight of each type of covered  
299 material, (B) a minimum reuse rate measured as the total weight of each  
300 type of covered material exempted from the program through transition  
301 to a reuse program, (C) a minimum recovery rate measured as the total  
302 weight of each type of covered material divided by the tons of such type  
303 of covered material recovered through collection, (D) a minimum  
304 recycling rate measured as the total weight of each type of covered  
305 material divided by the tons of such type of covered material managed  
306 through recycling, (E) a minimum post-consumer recycled content rate  
307 measured as the percentage of total tons of each type of covered material  
308 manufactured using post-consumer recycled content over a year, and  
309 (F) a minimum contamination rate for recycling collection measured as  
310 the percentage of total covered materials collected divided by the  
311 weight of covered materials disposed after collection, (6) describe the  
312 general process for state-wide, year-round convenient and accessible  
313 collection and transportation of covered materials, including collection

314 from residences, multifamily apartment buildings, public spaces and  
315 transfer stations and other residential recycling collection locations.  
316 Such collection shall be at least as convenient as the system utilized as  
317 of the effective date of this section and shall be provided at no cost to  
318 residences and multifamily apartment buildings from which covered  
319 materials are collected. Accessible collection of covered materials shall  
320 include arrangement for the diverse physical and language needs of a  
321 certain population, (7) describe how collected covered materials will be  
322 marketed, including the names of contracted facilities and end markets.  
323 For any covered material that will be marketed for use through a  
324 method other than mechanical recycling, the plan shall describe: (A)  
325 How the proposed method will affect the ability of the material to be  
326 recycled into feedstock for the manufacture of new products, (B) how  
327 the proposed method will affect the types and amounts of plastic  
328 recycled for food and pharmaceutical-grade applications, (C) any  
329 applicable air, water and waste permitting compliance requirements,  
330 and (D) an analysis of the environmental impacts for the proposed  
331 method compared to the environmental impacts of mechanical  
332 recycling, incineration and landfill disposal as solid waste, (8) describe  
333 how the program will provide technical assistance to municipalities,  
334 regional associations, waste and recycling collectors, transporters and  
335 processors and other entities that participate in the stewardship  
336 program, (9) describe how the program will abate covered materials  
337 litter in the state. Such program shall not include payments for litter  
338 cleanup, but may include, but not be limited to, grants to nonprofits for  
339 litter collection programs in the state, sponsorships and serving as  
340 advisors to such nonprofits and litter prevention, reduction and  
341 education programs, (10) describe how the program intends to provide  
342 consistent and ongoing outreach, education and communication to  
343 consumers throughout the state regarding participation in the program.  
344 To the greatest extent feasible, the program shall ensure that any  
345 educational materials developed for the program have consistent  
346 branding and are consistent with RecycleCT Foundation educational  
347 messaging and materials, and that educational materials are developed

348 to have applicability to all residents of the state, including, but not  
349 limited to, residents with varying methods of collection of covered  
350 materials, residents with multilingual needs, residents who live in  
351 single-family or multifamily housing and residents who are  
352 underserved by traditional methods of communication, (11) describe  
353 how the program intends to provide for investment in existing and  
354 future reuse programs, recycling infrastructure and end-market  
355 development in the state, (12) include a description of a closure plan that  
356 shall ensure that in the event the stewardship organization ceases to  
357 exist or the commissioner suspends or revokes approval of an  
358 implemented plan, the funds held by the stewardship organization will  
359 (A) remain within a separate fund until the commissioner renews  
360 approval of a plan, or (B) be transferred to a successor stewardship  
361 organization, (13) if more than one responsible party or stewardship  
362 organization registers with the commissioner to carry out the  
363 requirements of this section, describe how each responsible party or  
364 stewardship organization that submits a plan for approval intends to  
365 collaborate with other responsible parties or product stewardship  
366 organizations in the state, (14) describe how the responsible party or  
367 stewardship organization intends to address the program needs  
368 assessed through the approved study conducted pursuant to subsection  
369 (c) of this section, and (15) include any other information required by  
370 the commissioner.

371 (g) Nothing in this section shall preclude additional responsible  
372 parties or stewardship organizations authorized to operate and  
373 administer a program on behalf of responsible parties from submitting  
374 plans for approval to the commissioner in accordance with this section  
375 after January 1, 2025, provided a responsible party shall authorize only  
376 one stewardship organization per type of covered material.

377 (h) Any stewardship organization, authorized by a responsible party  
378 to operate and administer a program on its behalf, shall establish a fee  
379 structure that covers, but does not exceed, the costs of (1) developing the  
380 plan described in subsection (f) of this section, (2) operating and

381 administering the program described in subsection (e) of this section,  
382 and (3) maintaining a financial reserve sufficient to operate the program  
383 over a multiyear period of time in a fiscally prudent and responsible  
384 manner. Such stewardship organization may update the fee schedule no  
385 more than annually as needed, or as directed by the Commissioner of  
386 Energy and Environmental Protection if the commissioner determines  
387 that the modulations are insufficient to incentivize program or covered  
388 materials redesign. Such fee schedule shall: (A) Reflect a responsible  
389 party's share of covered materials sold in the state, (B) provide for a flat-  
390 fee option to be assessed on a tiered basis such that any responsible  
391 party other than a responsible party that is exempt and that generates  
392 less than fifteen tons of covered materials in a calendar year, is required  
393 to pay not more than five hundred dollars per ton of covered materials  
394 to the stewardship organization pursuant to this subsection, regardless  
395 of the type of covered material, and (C) for responsible parties that are  
396 not exempt, reflect the cost to collect, process and market the type of  
397 covered material sold in the state by a responsible party. Such fee  
398 structure shall include, but not be limited to, modulations to payments  
399 in a manner that incentivizes, through reduced fees, the following: (i)  
400 The use of covered materials that have a longer life span, (ii) the use of  
401 post-consumer recycled content in covered materials, (iii) increased  
402 recyclability of covered materials, (iv) lower toxicity in covered  
403 materials, (v) a reduction in the amount of covered materials used, (vi)  
404 a reduction in the amount of a responsible party's covered materials in  
405 litter, (vii) labeling of covered materials in such a way that reduces  
406 consumer confusion, (viii) the use of covered materials that are recycled  
407 in a country listed as a member of the Organization for Economic  
408 Cooperation and Development, (ix) the use of covered materials that do  
409 not disrupt recycling processes, and (x) the use of covered materials that  
410 have lower associated greenhouse gas emissions.

411 (i) Nothing in this section shall prohibit a stewardship organization  
412 from establishing and requiring by private agreement or contract the  
413 payment of other fees associated with a covered material's supply chain  
414 by third parties that are not responsible parties.

415 (j) Not later than one hundred eighty days after submission of a plan  
416 pursuant to this section, the Commissioner of Energy and  
417 Environmental Protection shall make a determination whether to  
418 approve such plan. Prior to making such determination, the  
419 commissioner shall post the plan on the Department of Energy and  
420 Environmental Protection's Internet web site and accept public  
421 comments on the plan. In the event that the commissioner disapproves  
422 the plan because it does not meet the requirements of this section, the  
423 commissioner shall describe the reasons for the disapproval in a notice  
424 of determination that the commissioner shall provide to the responsible  
425 party or stewardship organization, as applicable. The responsible party  
426 or stewardship organization, as applicable, shall revise and resubmit the  
427 plan to the commissioner not later than sixty days after receipt of notice  
428 of the commissioner's disapproval notice. Not later than forty-five days  
429 after receipt of the revised plan, the commissioner shall review and  
430 approve or disapprove the revised plan and notify, in writing, the  
431 responsible party or stewardship organization whether the revised plan  
432 was approved or disapproved, and if disapproved, indicate the reasons  
433 for disapproval. The responsible party or stewardship organization may  
434 resubmit a revised plan to the commissioner for approval on not more  
435 than two occasions. If the responsible party or stewardship organization  
436 fails to submit a plan that is acceptable to the commissioner because it  
437 does not meet the requirements of this section, the commissioner shall  
438 modify a submitted plan to make it conform to the requirements of this  
439 section and approve it. Not later than one hundred eighty days after the  
440 approval of a plan pursuant to this section, the responsible party or  
441 stewardship organization, as applicable, shall implement the approved  
442 plan for a packaging stewardship program. In deciding whether to  
443 approve any such plan, the commissioner may consider any of the  
444 following: (1) The extent to which the advice and comments provided  
445 by the advisory committee to the stewardship organization regarding  
446 the plan and the process by which the stewardship organization intends  
447 to include advice and comments regarding future program expansions  
448 and improvements and the operation of the program were included in

449 the plan, (2) the ambition and achievability of performance goals in such  
450 plan subdivision, including: (A) The specificity of material types, and  
451 (B) the performance goals set in other jurisdictions, (3) the timeliness  
452 and effectiveness of the plan to achieve the requirements of this section,  
453 (4) whether the funding mechanism described in the plan by the  
454 stewardship organization is reasonable and adequate to fund the costs  
455 of such program in accordance with the provisions of this section, and  
456 (5) the extent to which the plan adequately promotes the sustainable  
457 materials management priority set forth in subsection (b) of section 22a-  
458 228 of the general statutes and moves covered materials higher up the  
459 sustainable materials management prioritization.

460 (k) Each responsible party or stewardship organization, as  
461 applicable, shall submit any proposed substantive changes to a program  
462 to the Commissioner of Energy and Environmental Protection for  
463 approval and present said substantive changes to the applicable  
464 advisory committee for comment. For the purposes of this subsection,  
465 "substantive change" means: (1) A change in the processing facilities to  
466 be used for covered materials collected pursuant to the program, or (2)  
467 a material change to the system for collecting, transporting or  
468 processing covered materials.

469 (l) Not later than three years after the implementation date of a  
470 program, each responsible party or stewardship organization, as  
471 applicable, shall submit updated performance goals to the  
472 Commissioner of Energy and Environmental Protection that are based  
473 on the experience of the program during the first three years of the  
474 program.

475 (m) Each responsible party or stewardship organization, as  
476 applicable, shall notify the Commissioner of Energy and Environmental  
477 Protection of other material changes to such program on an ongoing  
478 basis, without resubmission of the plan to the commissioner for  
479 approval. Such changes shall include, but not be limited to, any change  
480 in the composition, officers or contact information of such responsible

481 party or stewardship organization, as applicable.

482 (n) On and after the implementation date of a stewardship program  
483 pursuant to this section, a responsible party's covered materials may not  
484 be sold in the state unless the covered materials are managed under an  
485 approved stewardship plan and the responsible party has submitted all  
486 required information and fees to any applicable stewardship  
487 organization that is authorized to operate and administer a program on  
488 such party's behalf. Any new covered materials sold at retail or sold or  
489 distributed through remote sale after the implementation date of a  
490 stewardship program pursuant to this section shall be reported to the  
491 Commissioner of Energy and Environmental Protection by such  
492 stewardship organization. No retailer or distributor shall be found to be  
493 in violation of the provisions of this subsection if, on the date the  
494 covered material was ordered from the responsible party or its agent,  
495 the responsible party was listed on the Department of Energy and  
496 Environmental Protection's Internet web site in accordance with the  
497 provisions of this section.

498 (o) Not later than October fifteenth of each year, each responsible  
499 party or stewardship organization authorized to operate and administer  
500 a stewardship program pursuant to this section shall submit an annual  
501 report to the Commissioner of Energy and Environmental Protection on  
502 a form prescribed by the commissioner. The commissioner shall post  
503 such annual report on the Department of Energy and Environmental  
504 Protection's Internet web site. Such report shall include: (1) A list of  
505 responsible parties and the brands and types of covered materials of the  
506 responsible parties participating in any such stewardship organization,  
507 (2) the tonnage, by type, of covered materials sold in the state by  
508 responsible parties during the prior year, (3) progress made toward  
509 achieving the performance goals and an evaluation of the effectiveness  
510 of methods and processes used to achieve such performance goals of the  
511 program, (4) a description of how such stewardship organization  
512 intends to improve the program in line with performance goals, if such  
513 evaluation demonstrates the program is not achieving the approved



514 performance goals, (5) the tonnage, by type, of covered materials  
515 managed through: (A) Recycling, (B) disposal, and (C) any other  
516 method, (6) a description of how the processes, methods and end-  
517 markets used to manage each type of covered material promoted the  
518 sustainable materials management priority in subsection (b) of section  
519 22a-228 of the general statutes, including for covered material that was  
520 not managed through recycling, (7) a description of the efforts taken by  
521 or on behalf of responsible parties or the stewardship organization, as  
522 applicable, to minimize environmental and human health impacts  
523 throughout the program operation and covered material life cycle and  
524 to increase reusability or recyclability at the end of the material's life  
525 cycle, (8) identification of covered materials that could be designed to  
526 be refillable or reusable, (9) a detailed description of any strategic  
527 investment in reuse and recycling infrastructure and end-market  
528 development in the state, (10) the fee schedule developed by the  
529 responsible party or stewardship organization, as applicable, for the  
530 prior year, and a description of how the fees incentivized collection,  
531 processing or redesign of covered materials pursuant to the  
532 modulations described in this section, (11) the estimated fee schedule  
533 for the next year, including the expected fee rate changes based on shifts  
534 in material value, (12) a description of covered material litter abatement  
535 efforts taken by, on behalf of, or funded by, the responsible party or  
536 stewardship organization, as applicable, (13) a description of the  
537 outreach, education and communication efforts taken by, on behalf of,  
538 or funded by, the responsible party or stewardship organization, as  
539 applicable, (14) recommendations for changes to the program, and (15)  
540 any other information requested by the commissioner.

541 (p) Two years after the implementation of a stewardship program  
542 pursuant to this section and every two years thereafter, or upon the  
543 request of the Commissioner of Energy and Environmental Protection  
544 but not more frequently than once per year, each responsible party or  
545 stewardship organization, as applicable, authorized to operate and  
546 administer a stewardship program pursuant to this section shall cause  
547 an audit of the program to be conducted by an independent auditor.

548 Such audit shall review the accuracy of the responsible party or  
549 stewardship organization's data concerning the program and provide  
550 any other information requested by the commissioner, consistent with  
551 the requirements of this section. Such audit shall be paid for by the  
552 responsible party or stewardship organization, as applicable. The  
553 responsible party or stewardship organization, as applicable, shall  
554 maintain all records relating to any such: (1) Audit, (2) annual report  
555 prepared or submitted pursuant to this section, and (3) such  
556 stewardship program for not less than three years.

557 (q) The Commissioner of Energy and Environmental Protection may  
558 require a plan to be reviewed or revised at any time if the commissioner  
559 (1) has reason to believe the performance goals set pursuant to this  
560 section are not being met or followed by a responsible party or  
561 stewardship organization, as applicable, (2) has reason to believe the  
562 performance goals set pursuant to this section are insufficient to drive  
563 increased improvement in the stewardship program, or (3) determines  
564 a change in circumstances warrants revision of the plan. The  
565 commissioner may rescind approval of a stewardship plan at any time.

566 (r) A responsible party is exempt from the requirements of this  
567 section if the responsible party: (1) Would otherwise be considered a  
568 responsible party but is responsible for less than one ton of covered  
569 materials per year in the state, (2) has a gross annual revenue of less than  
570 two million dollars, or (3) is a municipality.

571 (s) If a responsible party can demonstrate to the satisfaction of the  
572 applicable stewardship organization that a type of covered material sold  
573 in the state by such responsible party achieved an eighty-five per cent  
574 or greater recycling rate in the state during the prior calendar year, the  
575 stewardship organization may reduce the fees owed by the responsible  
576 party under this section to an amount that represents no more than the  
577 costs associated with the collection and transportation for recycling in  
578 the state of that type of covered material. Any reduced fees owed by a  
579 responsible party pursuant to this subsection shall remain subject to the

580 adjustments described in this section.

581 (t) The Commissioner of Energy and Environmental Protection shall  
582 exempt a covered material from the fee payment established in this  
583 section if a responsible party can demonstrate to the commissioner that  
584 said covered material is managed through a viable reuse program. In  
585 order to obtain such exemption, the responsible party shall provide the  
586 commissioner, on a form prescribed by the commissioner, with  
587 information that demonstrates (1) such viability, necessity and  
588 environmental benefit, and (2) how the responsible party intends to  
589 recover and recycle reusable covered material at the end of the  
590 material's life. The responsible party shall report to the commissioner  
591 any substantive changes to such reuse program. The commissioner may  
592 rescind an exemption issued pursuant to this subsection if the approved  
593 reuse program no longer conforms to the information submitted by the  
594 responsible party pursuant to this subsection.

595 (u) The Commissioner of Energy and Environmental Protection shall  
596 not require the disclosure of any information that the commissioner  
597 finds to be confidential information. For purposes of this subsection,  
598 "confidential information" means any information that if made public  
599 would divulge competitive business information, methods or processes  
600 entitled to protection as trade secrets of such responsible party or  
601 stewardship organization or information that would reasonably hinder  
602 the responsible party or stewardship organization's competitive  
603 advantage in the marketplace.

604 (v) Not later than three years after the approval of any stewardship  
605 plan pursuant to this section, the Commissioner of Energy and  
606 Environmental Protection shall submit a report, in accordance with the  
607 provisions of section 11-4a of the general statutes, to the joint standing  
608 committee of the General Assembly having cognizance of matters  
609 relating to the environment that describes the results of the applicable  
610 packaging stewardship program and that recommends modifications to  
611 improve the functioning and efficiency of any such program, as

612 necessary.

613 (w) Not later than the implementation date of any stewardship  
614 program authorized pursuant to this section, the Department of Energy  
615 and Environmental Protection shall list the names of participating  
616 responsible parties and the brands covered by such stewardship  
617 program on the department's Internet web site.

618 (x) The Department of Energy and Environmental Protection shall  
619 maintain online public records of registered stewardship organizations,  
620 stewardship plans and plan amendments approved pursuant to this  
621 section, annual reports submitted by the responsible party or  
622 stewardship organization, as applicable, to the department, annual  
623 reports by the department to the General Assembly and any other  
624 information the department determines relevant to the provisions of  
625 this section.

626 (y) Each responsible party or stewardship organization authorized to  
627 operate and administer a stewardship program approved pursuant to  
628 this section shall maintain a public Internet web site that shall, at a  
629 minimum, provide the following information: (1) Each responsible  
630 party that has authorized a stewardship organization to operate and  
631 administer the stewardship program on its behalf and the brands and  
632 types of covered materials of the responsible parties participating in  
633 such packaging stewardship organization, and (2) all applicable plans  
634 approved pursuant to this section, annual reports and audit results.

635 (z) Each responsible party, retailer or stewardship organization,  
636 including a responsible party's, retailer's or stewardship organization's  
637 officers, members, employees and agents that organize a packaging  
638 stewardship program pursuant to this section shall be immune from  
639 liability for the responsible party's, retailer's or stewardship  
640 organization's conduct under state laws relating to antitrust, restraint of  
641 trade, unfair trade practices and any other regulation of trade or  
642 commerce only to the extent necessary to plan and implement the  
643 responsible party's, retailer's or stewardship organization's stewardship

644 program in accordance with the provisions of this section.

645 (aa) Not later than July 1, 2024, the Commissioner of Energy and  
646 Environmental Protection shall establish reasonable fees for  
647 administering the program described in this section. All fees charged  
648 shall be based on factors relative to the costs of administering such  
649 program and shall fully cover but not exceed expenses incurred by the  
650 commissioner for the implementation of such program, including  
651 administrative fees associated with sections 22a-255h to 22a-255m,  
652 inclusive, of the general statutes.

653 (bb) For covered materials collected, transported, processed or  
654 marketed by a municipality directly or through a municipal contract  
655 with a private service provider or where a municipality directly or  
656 through a municipal contract with a service provider provides for  
657 collection, transportation, processing or marketing of covered materials  
658 from public spaces or operates a transfer station, the municipality may  
659 elect to: (1) Continue provision of service without reimbursement, (2)  
660 continue provision of service for a reimbursement at a reasonable rate  
661 from a responsible party or stewardship organization authorized to  
662 operate and administer a program pursuant to this section, or (3) if a  
663 municipality does not elect to provide service, a responsible party or  
664 stewardship organization authorized to operate and administer a  
665 stewardship program pursuant to this section shall be responsible for  
666 contracting with a private service provider for services and shall be  
667 responsible for calculating and dispersing funding at a reasonable rate  
668 for collection, transportation, processing and marketing by said private  
669 service provider.

670 (cc) In the event that another state implements a stewardship  
671 program for covered materials, or similar materials, a stewardship  
672 organization authorized pursuant to this section may collaborate across  
673 states to conserve efforts and resources used in carrying out a packaging  
674 stewardship program, provided such collaboration is consistent with  
675 the requirements of this section.

676 (dd) Packaging stewardship program costs shall not include covered  
677 materials collected and managed through a municipal solid waste  
678 disposal program but shall include materials collected and disposed  
679 from a facility processing covered materials for recycling. Any  
680 stewardship organization may establish standards for collection,  
681 processing and marketing of covered materials, whether pursuant to a  
682 contract or agreement with a municipality or service provider.

683 (ee) Any person who violates any provision of this section shall be  
684 assessed a civil penalty not to exceed twenty-five thousand dollars, to  
685 be fixed by the Superior Court, for each offense. Each violation shall be  
686 a separate and distinct offense and, in the case of a continuing violation,  
687 each day's continuance of such violation shall be deemed to be a  
688 separate and distinct offense. The Attorney General, upon request of the  
689 Commissioner of Energy and Environmental Protection, shall institute  
690 a civil action in the superior court for the judicial district of Hartford to  
691 recover such penalty.

692 (ff) Whenever, in the judgment of the Commissioner of Energy and  
693 Environmental Protection, any person has engaged in or is about to  
694 engage in any act, practice or omission that constitutes, or will  
695 constitute, a violation of any provision of this section, the Attorney  
696 General may, at the request of the commissioner, bring an action in the  
697 superior court for the judicial district of Hartford to enjoin such act,  
698 practice or omission and to seek an order of appropriate remedial  
699 measures. Upon a showing by the commissioner that such person has  
700 engaged in or is about to engage in such act, practice or omission, the  
701 court may issue an order mandating compliance with the provisions of  
702 this section, a permanent or temporary injunction, a restraining order or  
703 other order, as appropriate.

704 (gg) If two or more persons are responsible for a violation of the  
705 provisions of this section, such persons shall be jointly and severally  
706 liable under this section.

707 (hh) Any action brought by the Attorney General pursuant to this

708 section shall have precedence in the order of trial as provided in section  
709 52-191 of the general statutes.

710 (ii) Upon the effective date of a covered material's stewardship  
711 program, the state intends to occupy the field of regulation for such  
712 covered material's stewardship program consistent with the provisions  
713 of this section. A local government may not adopt an ordinance  
714 establishing, requiring the establishment of or otherwise regulating  
715 stewardship programs for covered materials and, from the effective date  
716 of such program, any ordinance or regulation that violates the  
717 provisions of this subsection shall be void and has no force or effect.

718 (jj) Nothing in this section shall be construed to impact an entity's  
719 eligibility for any state or local incentive or assistance program to which  
720 such entity is otherwise eligible.

721 (kk) The Department of Energy and Environmental Protection may  
722 opt in to a regional or national collaborative, in lieu of the requirements  
723 in this section, if the regional or national program addresses the same or  
724 similar covered materials and purpose of this section.

725 (ll) At such time as an enforceable federal covered materials  
726 stewardship program is implemented, not later than one hundred  
727 eighty days after the effective date of such federal program, the  
728 Department of Energy and Environmental Protection shall determine  
729 the applicability of such federal program with the requirements of this  
730 section and may adopt participation in such federal program, in lieu of  
731 the requirements of this section if the federal program addresses the  
732 same or similar covered materials and purpose of this section.

733 (mm) No registered stewardship organization shall create any  
734 unreasonable barrier for participation by responsible parties in such  
735 stewardship organization.

736 (nn) Nothing in this section shall be construed to prohibit a person  
737 who is not a responsible party from voluntarily participating in a

738 stewardship organization provided such person complies with all  
739 requirements of this section.

740 (oo) The Department of Energy and Environmental Protection may  
741 suspend or revoke a responsible party or stewardship organization's  
742 approved plan if the department determines that (1) a violation or  
743 repeated violations of this section occurred, or (2) such a violation had  
744 a material impact on the implementation and administration of the  
745 responsible party's or stewardship organization's plan.

746 (pp) Notwithstanding any provision of this section, the provisions of  
747 this section shall not take effect until the October first following the date  
748 that the Commissioner of Energy and Environmental Protection  
749 recognizes the occurrence of both of the following: (1) Four states, not  
750 including this state, enact a mandatory consumer packaging  
751 stewardship law that is consistent with the provisions of this section,  
752 provided one such state borders Connecticut; and (2) the aggregate  
753 population of such states located in the northeast region of the United  
754 States that have enacted a mandatory consumer packaging stewardship  
755 law that is consistent with this section exceeds twenty million based on  
756 2020 census figures.

757 Sec. 2. (NEW) (*Effective October 1, 2023*) (a) For purposes of this  
758 section:

759 (1) "Department" means the Department of Energy and  
760 Environmental Protection;

761 (2) "Commissioner" means the Commissioner of Energy and  
762 Environmental Protection;

763 (3) "Beverage" means any potable liquid for human consumption,  
764 unless used, designed or otherwise intended for use as infant formula,  
765 medical food, medical beverage, food for special dietary use or as  
766 fortified oral nutritional supplements;

767 (4) "Food for special dietary use" has the same meaning as provided



768 in 21 USC Section 105.3;

769 (5) "Medical food" and "infant formula" have the same meanings as  
770 provided in the federal Food, Drug, and Cosmetic Act, 21 USC 21  
771 Section 301 et seq.;

772 (6) "Plastic" means a manufactured or synthetic material made from  
773 linking monomers through a chemical reaction to create a polymer chain  
774 that can be molded or extruded at high heat into various solid forms;

775 (7) "Plastic beverage container" means any individual, sealable,  
776 separate bottle, can, jar, carton or other container that is made of plastic  
777 and intended to contain a beverage of not more than two gallons in  
778 capacity. "Plastic beverage container" does not include any refillable  
779 beverage container, including any container that is sufficiently durable  
780 for multiple rotations of such container's original or similar purpose and  
781 that is intended to function in a system of reuse;

782 (8) "Post-consumer recyclable material" means a material or product  
783 generated by households or by commercial, industrial or institutional  
784 facilities in the role of an end-user of the material or product that can no  
785 longer be used for its intended purpose or that was returned from the  
786 distribution chain and has been separated from the solid waste stream  
787 for the purpose of collection and recycling;

788 (9) "Post-consumer recycled content" means the amount of post-  
789 consumer recyclable material used in the manufacture or production of  
790 a new product. "Post-consumer recycled content" does not include  
791 preconsumer or post-industrial secondary waste material, including,  
792 but not be limited to, materials and by-products generated from and  
793 commonly used within an original manufacturing and fabrication  
794 process;

795 (10) "Producer" means any person responsible for compliance with  
796 minimum post-consumer recycled content requirements for a plastic  
797 beverage container, including: (A) Any owner or licensee of a brand or

798 trademark for a plastic beverage container that is sold under such  
799 owner's or licensee's owned or licensed brand or trademark regardless  
800 of whether such trademark is registered in this state; (B) the  
801 manufacturer of a plastic beverage container that lacks identification of  
802 a brand at the point of sale or the person who manufactures such plastic  
803 beverage container; and (C) if there is no other person described in this  
804 subsection over whom the state can constitutionally exercise  
805 jurisdiction, the person who imports or distributes the plastic beverage  
806 container in or into the state;

807 (11) "Manufacturer" means any person that produces or generates a  
808 plastic beverage container. "Manufacturer" does not include: (A) Any  
809 government agency, municipality or other political subdivision of the  
810 state, (B) any organization registered under Section 501(c)(3) or 501(c)(4)  
811 of the Internal Revenue Code, or (C) any producer that annually sells,  
812 offers for sale, distributes or imports into the country for sale in this state  
813 (i) less than one ton of plastic beverage containers each year, or (ii)  
814 plastic beverage containers that, in aggregate, generate less than one  
815 million dollars each year in sales in the state; and

816 (12) "Person" has the same meaning as provided in section 22a-2 of  
817 the general statutes.

818 (b) On and after July 1, 2025, any plastic beverage container offered  
819 for sale or distributed in this state shall contain not less than fifteen per  
820 cent post-consumer recycled content.

821 (c) On and after July 1, 2028, any plastic beverage container offered  
822 for sale or distributed in this state shall contain not less than twenty-five  
823 per cent post-consumer recycled content.

824 (d) On and after July 1, 2033, any plastic beverage container offered  
825 for sale or distributed in this state shall contain not less than fifty per  
826 cent post-consumer recycled content.

827 (e) On or before February 1, 2027, the commissioner, in accordance

828 with section 11-4a of the general statutes, shall submit to the joint  
829 standing committee of the General Assembly having cognizance of  
830 matters relating to the environment a report reviewing the minimum  
831 post-consumer recycled content requirements of this section. Such  
832 report shall include, but need not be limited to: (1) A determination of  
833 whether the requirements of this section are achievable; (2) any  
834 recommendations on whether the percentages contained in this section  
835 require adjustment; and (3) any recommendations for the expansion of  
836 post-consumer recycled content requirements to other packaging or  
837 product categories and the attendant percentage requirements  
838 recommended for each packaging or product category.

839 (f) Each producer shall achieve compliance with the post-consumer  
840 recycled content requirements in this section based upon the portion of  
841 such content, by weight, on average for each plastic beverage container.  
842 The calculation of such average may be based on a producer's entire  
843 plastic beverage container product line or by the separate product lines,  
844 provided all of the producer's products are accounted for in such  
845 calculation and all individual products with post-consumer recycled  
846 content that are used in such calculation are sold in this state. Each  
847 producer may include in such calculation the weight and material  
848 content of liners, bladders, caps, lids, labels and any other packaging  
849 component provided the inclusion of any such component included in  
850 any annual report required by this section.

851 (g) On or before July 1, 2025, and annually thereafter, each producer  
852 that offers for sale, sells, or distributes plastic beverage containers in or  
853 into the state shall register with the commissioner, individually, or  
854 through a third-party representative that registers with the  
855 commissioner on behalf of a group of producers, in a form and manner  
856 prescribed by the commissioner. Each producer or representative shall  
857 remit an annual registration fee in an amount to be determined by the  
858 commissioner. Such fee shall be scaled to reflect the market share of any  
859 such producer or representative, adequate to cover the department's  
860 cost to implement, administer, monitor and enforce the provisions of

861 this section and used exclusively for such purposes. The commissioner  
862 may modify the amount of such annual registration fee, as necessary, to  
863 reflect updated implementation costs. The registration information  
864 submitted to the commissioner pursuant to this section shall include: (1)  
865 A list of the producers of plastic beverage containers and the brand  
866 names of the plastic beverage containers represented in the registration  
867 submittal; (2) the average percentage of post-consumer recycled content  
868 for plastic beverage containers sold into the state during the previous  
869 twelve-month period; and (3) proof of a third party's certification of  
870 compliance with the post-consumer recycled content requirements for  
871 plastic beverage containers, as described in subsection (h) of this section.

872 (h) Beginning July 1, 2026, and annually thereafter, each producer  
873 shall provide third-party certification of the minimum post-consumer  
874 recycled content of all plastic beverage containers offered for sale in the  
875 state, in writing, to the commissioner. Such certification shall be specific  
876 to items sold into this state by such producer. If the commissioner  
877 determines a certification is acceptable, such certification shall be  
878 approved by the commissioner and published on the department's  
879 Internet web site. An authorized representative of the producer shall  
880 sign the certification. Each producer shall submit such certification, in  
881 the form and manner determined by the commissioner, under penalty  
882 of perjury. Such certification shall include the amount, in pounds, of  
883 plastic, and the amount, in pounds, of post-consumer recycled material  
884 used by the producer for any products subject to the requirements of  
885 this section, and any other information as the commissioner deems  
886 necessary.

887 (i) A producer may seek from the commissioner a waiver from the  
888 requirements of this section. In seeking any such waiver, the producer  
889 shall set forth the specific basis upon which the waiver is claimed,  
890 indicate any applicable timeframe for such waiver request and submit  
891 such proof as the commissioner determines to be necessary.

892 (j) The commissioner may participate in the establishment and

893 implementation of a multistate clearinghouse to assist in carrying out  
894 the requirements of this section. Any such clearinghouse shall assist in  
895 coordinating reviews of producer registrations, waiver requests and  
896 certifications, recommend acceptable third-party certifications and  
897 implement state reporting activities and any other related functions  
898 pursuant to this section. Notwithstanding the requirements of  
899 subsection (g) of this section, if the commissioner determines to  
900 participate in such a clearinghouse, such participation may provide  
901 producers the ability to register on a centralized portal offered by such  
902 clearinghouse in lieu of a state-specific portal provided such registration  
903 requirement shall not otherwise be affected by the use of any such  
904 centralized portal.

905       Sec. 3. (NEW) (*Effective July 1, 2023*) The Commissioner of Energy and  
906 Environmental Protection, on behalf of one or more municipalities,  
907 municipal authorities or regional solid waste authorities, may issue a  
908 request for proposals from providers of existing or proposed solid waste  
909 materials management services, including, but not limited to, reuse,  
910 recycling and composting, such as anerobic digestion, waste conversion,  
911 energy and fuel recovery. From such proposals, the commissioner may  
912 select one or more providers of existing or proposed solid waste  
913 materials management services and, acting on behalf of and with the  
914 consent of one or more municipalities, municipal solid waste authorities  
915 or regional solid waste authorities, may enter into an agreement for the  
916 management of solid waste from such municipalities or authorities at a  
917 facility of such existing or proposed solid waste materials management  
918 services. In selecting such proposal, the commissioner may consider all  
919 relevant information, including, but not limited to the following factors:  
920 (1) Consistency of such proposal with the state's solid waste  
921 management plan; (2) the available capacity at an existing or proposed  
922 facility; (3) the fee to be charged for the management of such solid waste;  
923 (4) where any proposed facility is or will be located; and (5) the  
924 likelihood that a proposed facility will be authorized and constructed.  
925 Any agreement entered into pursuant to this section for the  
926 management of solid waste at a proposed facility shall be contingent on

927 such facility receiving all required state and municipal permits and  
928 authorizations and commencing operation by a date specified in such  
929 agreement.

930 Sec. 4. Subsection (f) of section 22a-220 of the general statutes is  
931 repealed and the following is substituted in lieu thereof (*Effective from*  
932 *passage*):

933 (f) (1) On and after January 1, 1991, each municipality shall, consistent  
934 with the requirements of section 22a-241b, make provisions for the  
935 separation, collection, processing and marketing of items generated  
936 within its boundaries as solid waste and designated for recycling by the  
937 commissioner pursuant to subsection (a) of section 22a-241b. It shall be  
938 the goal to recycle twenty-five per cent of the solid waste generated in  
939 each municipality provided it shall be the goal to reduce the weight of  
940 such waste by January 1, 2000, by an additional fifteen per cent by  
941 source reduction as determined by reference to the state-wide solid  
942 waste management plan established in 1991, or by recycling such  
943 additional percentage of waste generated, or both. The provisions of this  
944 subsection shall not be construed to require municipalities to enforce  
945 reduction in the quantity of solid waste. On or before January 1, 1991,  
946 each municipality shall: [(1)] (A) Adopt an ordinance or other  
947 enforceable legal instrument setting forth measures to assure the  
948 compliance of persons within its boundaries with the requirements of  
949 subsection (c) of section 22a-241b and to assure compliance of collectors  
950 with the requirements of subsection (a) of section 22a-220c, and [(2)] (B)  
951 provide the Commissioner of Energy and Environmental Protection  
952 with the name, address and telephone number of a person to receive  
953 information and respond to questions regarding recycling from the  
954 department on behalf of the municipality. The municipality shall notify  
955 the commissioner within thirty days of its designation of a new  
956 representative to undertake such responsibilities. A municipality may  
957 by ordinance or other enforceable legal instrument provide for and  
958 require the separation and recycling of other items in addition to those  
959 designated pursuant to subsection (a) of section 22a-241b.

960 (2) A municipality may, by the adoption of a municipal ordinance or  
961 other enforceable legal instrument to which the municipality is a party,  
962 identify recyclable solid wastes not described in subdivision (1) of this  
963 subsection, including, but not limited to, food scraps, food processing  
964 residues, yard waste and other suitable recyclable organic material for  
965 diversion to recycling facilities designed for the processing and  
966 beneficial use of such wastes. For the purposes of this section and  
967 section 22a-220a, as amended by this act, "food scraps" or "food  
968 processing residues" does not include unused food that is suitable for  
969 sale or donation for human or animal consumption.

970 Sec. 5. Section 22a-220 of the general statutes is amended by adding  
971 subsection (k) as follows (*Effective October 1, 2023*):

972 (NEW) (k) On or before October 1, 2028, each municipality shall make  
973 provisions for the separation and collection of food scraps. Each  
974 municipality shall require any collector required to register annually  
975 pursuant to section 22a-220a, as amended by this act, to separately  
976 collect and transport such source separated food scraps to a facility  
977 authorized to process food scraps in a manner that promotes a beneficial  
978 use.

979 Sec. 6. Subsection (a) of section 22a-220a of the general statutes is  
980 repealed and the following is substituted in lieu thereof (*Effective from*  
981 *passage*):

982 (a) The legislative body of a municipality may designate the area  
983 where solid waste generated within its boundaries by residential,  
984 business, commercial or other establishments shall be disposed. The  
985 disposal of such solid waste at any other area is prohibited, except that  
986 a municipality may approve, in writing, disposal at another area, either  
987 within or outside the boundaries of such municipality, prior to disposal.  
988 A municipality may refuse to approve disposal at another area if such  
989 disposal would adversely affect its solid waste disposal program. The  
990 legislative body of a municipality may also designate where the  
991 following items generated within its boundaries from residential

992 properties shall be taken for processing or sale: (1) Cardboard, (2) glass,  
993 food and beverage containers, (3) leaves, (4) metal food and beverage  
994 containers, (5) newspapers, (6) storage batteries, (7) waste oil, [and] (8)  
995 plastic food and beverage containers, (9) food scraps, and (10) food  
996 processing residues. The processing or sale of such items at any other  
997 area shall be prohibited, except that a municipality may approve, in  
998 writing, processing or sale elsewhere, either within or outside the  
999 boundaries of such municipality, prior to processing or sale. A  
1000 municipality may refuse to approve processing or sale elsewhere if such  
1001 processing or sale would adversely affect its recycling program. For  
1002 purposes of sections 22a-208e, 22a-208f, 22a-220, as amended by this act,  
1003 this section, sections 22a-220c, 22a-241b, 22a-241e, and subsection (c) of  
1004 section 22a-241g, residential property means real estate containing one  
1005 or more dwelling units but shall not include hospitals, motels or hotels.

1006 Sec. 7. Subdivision (3) of subsection (a) of section 22a-226e of the  
1007 general statutes is repealed and the following is substituted in lieu  
1008 thereof (*Effective from passage*):

1009 (3) On and after January 1, 2022, each commercial food wholesaler or  
1010 distributor, industrial food manufacturer or processor, supermarket,  
1011 resort or conference center that is located not more than twenty miles  
1012 from either an authorized source-separated organic material  
1013 composting facility, authorized transfer station or other collection  
1014 location authorized to receive source-separated organic materials, and  
1015 that generates an average projected volume of not less than twenty-six  
1016 tons per year of source-separated organic materials, shall: (A) Separate  
1017 such source-separated organic materials from other solid waste; and (B)  
1018 ensure that such source-separated organic materials are recycled at any  
1019 authorized source-separated organic material composting facility that  
1020 has available capacity and that will accept such source-separated  
1021 organic material. On and after January 1, 2025, the requirements of this  
1022 subdivision shall additionally apply to each institution. For the  
1023 purposes of this section "institution" means any establishment engaged  
1024 in providing hospitality, entertainment or rehabilitation and health care



1025 services, and any hospital, local or regional board of education or  
1026 correctional facility.

1027 Sec. 8. Section 22a-232 of the general statutes is repealed and the  
1028 following is substituted in lieu thereof (*Effective July 1, 2023*):

1029 (a) There shall be paid to the Commissioner of Revenue Services by  
1030 the owner of any resources recovery facility one dollar per ton of solid  
1031 waste processed at the facility beginning on the date of commencement  
1032 of commercial operation of the facility for calendar quarters  
1033 commencing on or after October 1, 1987, until September 30, 2003. For  
1034 calendar quarters commencing on and after October 1, 2003, the owner  
1035 of any resources recovery facility shall pay to the Commissioner of  
1036 Revenue Services one dollar and fifty cents per ton of solid waste  
1037 processed at such facility.

1038 (b) Each owner of a resources recovery facility subject to the  
1039 assessment as provided by this section shall submit a return quarterly  
1040 to the Commissioner of Revenue Services, applicable with respect to the  
1041 calendar quarter beginning October 1, [1987] 2023, and each calendar  
1042 quarter thereafter, on or before the last day of the month immediately  
1043 following the end of each such calendar quarter, on a form prescribed  
1044 by the commissioner, together with payment of the quarterly  
1045 assessment determined and payable in accordance with the provisions  
1046 of subsection (a) of this section.

1047 (c) Whenever such assessment is not paid when due, a penalty of ten  
1048 per cent of the amount due or fifty dollars, whichever is greater, shall be  
1049 imposed, and such assessment shall bear interest at the rate of one per  
1050 cent per month or fraction thereof until the same is paid. The  
1051 Commissioner of Revenue Services shall cause copies of a form  
1052 prescribed for submitting returns as required under this section to be  
1053 distributed throughout the state. Failure to receive such form shall not  
1054 be construed to relieve anyone subject to assessment under this section  
1055 from the obligations of submitting a return, together with payment of  
1056 such assessment within the time required.

1057 (d) Any person or municipality liable for the service fee for solid  
1058 waste delivered to a facility whose owner is subject to [the] an  
1059 assessment imposed by subsection (a) of this section shall reimburse the  
1060 owner for any assessment paid for the solid waste delivered by such  
1061 person or municipality. [The] Such an assessment shall be a debt from  
1062 the person or municipality responsible for paying such service fee to the  
1063 owner.

1064 (e) The provisions of sections 12-548 to 12-554, inclusive, and section  
1065 12-555a shall apply to the provisions of this section in the same manner  
1066 and with the same force and effect as if the language of said sections 12-  
1067 548 to 12-554, inclusive, and section 12-555a had been incorporated in  
1068 full in this section, except that to the extent that any such provision is  
1069 inconsistent with a provision in this section and except that the term  
1070 "tax" shall be read as "solid waste assessment".

1071 (f) Two million eight hundred thousand dollars of the proceeds from  
1072 the assessments imposed pursuant to subsection (a) of this section shall  
1073 be deposited by the Commissioner of Revenue Services into the General  
1074 Fund and any remaining funds from such assessments shall be  
1075 deposited by the commissioner into the sustainable materials  
1076 management account established in section 16-244bb, as amended by  
1077 this act.

1078 Sec. 9. Subsection (a) of section 22a-241l of the general statutes is  
1079 repealed and the following is substituted in lieu thereof (*Effective from*  
1080 *passage*):

1081 (a) For the purposes of this section, ["customer" means a business  
1082 and] "collector" means any person offering collection services for solid  
1083 waste or designated recyclable [item collection services] items and  
1084 "designated recyclable items" means any items designated for recycling  
1085 or to be recycled pursuant to: (1) Subsection (a) of section 22a-241b, (2)  
1086 section 22a-208v or 22a-256a, or (3) a municipal ordinance or other  
1087 enforceable legal instrument to which a municipality is a party.

1088       Sec. 10. (NEW) (*Effective July 1, 2023*) (a) There is established the  
1089 Connecticut Waste Authority. The Connecticut Waste Authority shall  
1090 constitute a successor authority to the Materials Innovation and  
1091 Recycling Authority in accordance with the provisions of sections 4-38d,  
1092 4-38e and 4-39 of the general statutes.

1093       (b) Wherever the words "Materials Innovation and Recycling  
1094 Authority" are used in any public or special act of 2023 or in the  
1095 following sections of the general statutes, the words "Connecticut Waste  
1096 Authority" shall be substituted in lieu thereof: 1-79, 1-120, 1-124, 1-125,  
1097 3-24d, 3-24f, 7-329a, 12-412, 12-459, 16-1, 16-245, 16-245b, 22a-208a, 22a-  
1098 208v, 22a-209h, 22a-219b, 22a-220, as amended by this act, 22a-241, 22a-  
1099 260, 22a-263a, 22a-263b, 22a-268a, 22a-268b, 22a-268g, 22a-270a, 22a-  
1100 272a, 22a-282, 22a-283, 22a-284, 32-1e and 32-658.

1101       (c) The Legislative Commissioners' Office shall, in codifying the  
1102 provisions of this section, make such conforming, technical,  
1103 grammatical and punctuation changes as are necessary to carry out the  
1104 purposes of this section.

1105       Sec. 11. (NEW) (*Effective July 1, 2023*) (a) In addition to the purposes,  
1106 powers and responsibilities vested in the Connecticut Waste Authority  
1107 pursuant to chapter 446e of the general statutes, the Connecticut Waste  
1108 Authority shall: (1) Identify the immediate environmental needs and  
1109 knowledge necessary for future redevelopment of the authority's  
1110 properties located at 300 Maxim Road in Hartford and 100 Reserve Road  
1111 in Hartford, (2) continue to operate the authority's transfer stations until  
1112 acceptable alternatives, operated by entities other than the authority,  
1113 become available, as determined by the Commissioner of Energy and  
1114 Environmental Protection, and (3) wind down the authority's  
1115 operations and activities in an orderly and responsible manner, that  
1116 may include, but is not limited to, the marketing and sale of the  
1117 authority's surplus real and personal property.

1118       (b) Not later than January 1, 2024, the authority shall submit a report,  
1119 in accordance with the provisions of section 11-4a of the general statutes

1120 to the Secretary of the Office of Policy and Management and the joint  
1121 standing committees of the General Assembly having cognizance of  
1122 matters relating to the environment and planning and development.  
1123 Such report shall include a plan and timeline for the activities set forth  
1124 in subdivisions (1) to (3), inclusive, of subsection (a) of this section.

1125 (c) The authority and any other state agency may enter into one or  
1126 more memoranda of understanding that will facilitate the authority's  
1127 purposes, powers and responsibilities under chapter 446e of the general  
1128 statutes and subsection (a) of this section, provided any such  
1129 memorandum of understanding shall terminate as of June 30, 2025.

1130 Sec. 12. (NEW) (*Effective from passage*) (a) Notwithstanding any  
1131 provision of the general statutes, the provisions of sections 10 to 17,  
1132 inclusive, of this act shall not be construed to modify the liability of any  
1133 person who: (1) Established a resources recovery facility, (2) created a  
1134 condition or who is maintaining any such facility or condition that may  
1135 reasonably be expected to create a source of pollution to the waters of  
1136 the state, or (3) is the certifying party to the transfer of such a facility.

1137 (b) Notwithstanding the requirements of sections 22a-134a to 22a-  
1138 134e, inclusive, 22a-134h and 22a-134i of the general statutes, any  
1139 conveyance of real property or business operations authorized or  
1140 required by the provisions of sections 10 to 17, inclusive, of this act, from  
1141 the Materials Innovation and Recycling Authority to the Connecticut  
1142 Waste Authority, or from the Connecticut Waste Authority to the  
1143 Department of Administrative Services shall not constitute the transfer  
1144 of an establishment for purposes of chapter 445 of the general statutes.

1145 (c) (1) Notwithstanding the requirements of section 22a-60 of the  
1146 general statutes, upon transfer of ownership or oversight of a permitted  
1147 facility owned or operated by the Materials Innovation and Recycling  
1148 Authority to the Connecticut Waste Authority any permits or licenses  
1149 held by the Materials Innovation and Recycling Authority shall be  
1150 deemed to be transferred to the Connecticut Waste Authority and shall  
1151 continue in full force and effect.

1152 (2) Notwithstanding the requirements of section 22a-60 of the general  
1153 statutes, upon transfer of ownership or oversight of a permitted facility  
1154 owner or operated by the Connecticut Waste Authority to the  
1155 Department of Administrative Services, any permits or licenses held by  
1156 the Connecticut Waste Authority shall be deemed to be transferred to  
1157 the Department of Administrative Services and shall continue in full  
1158 force and effect.

1159 Sec. 13. (NEW) (*Effective from passage*) The funds possessed by the  
1160 Materials Innovation and Recycling Authority, established pursuant to  
1161 section 22a-260a of the general statutes, shall not constitute surplus  
1162 revenues and shall be deemed necessary to provide support for the  
1163 authority's properties systems and facilities, including any  
1164 environmental remediation of such properties, systems and facilities.  
1165 Such funds shall not be distributed or redistributed to the users of the  
1166 authority's services. Users of the authority's services shall be liable for  
1167 the environmental remediation costs of the authority's properties,  
1168 systems and facilities if, and to the extent, any funds were distributed or  
1169 redistributed by the authority to such users on or after January 1, 2023.

1170 Sec. 14. (*Effective July 1, 2023*) Notwithstanding any provision of the  
1171 general statutes, the sum of two million dollars shall be transferred from  
1172 the resources of the Connecticut Waste Authority and shall be deposited  
1173 into a nonlapsing account of the General Fund established by the  
1174 Secretary of the Office of Policy and Management. Moneys in the  
1175 account shall be allocated in such amounts and at such times as  
1176 determined by the Secretary of the Office of Policy and Management to  
1177 fund activities related to the provisions of sections 10 to 17, inclusive, of  
1178 this act.

1179 Sec. 15. Section 22a-261 of the general statutes is repealed and the  
1180 following is substituted in lieu thereof (*Effective July 1, 2023*):

1181 (a) There is hereby established and created a body politic and  
1182 corporate, constituting a public instrumentality and political  
1183 subdivision of the state of Connecticut established and created for the

1184 performance of an essential public and governmental function, to be  
1185 known as the [Materials Innovation and Recycling] Connecticut Waste  
1186 Authority. The authority shall not be construed to be a department,  
1187 institution or agency of the state.

1188 (b) On and after [June 1, 2002] July 1, 2023, the terms of the board of  
1189 the Materials Innovation and Recycling Authority shall terminate and  
1190 the powers of the [authority] Connecticut Waste Authority shall be  
1191 vested in and exercised by a board of directors, which shall consist of  
1192 eleven directors as follows: [Three appointed by the Governor, one of  
1193 whom is a municipal official of a municipality having a population of  
1194 fifty thousand or less and one of whom has extensive, high-level  
1195 experience in the energy field; two appointed by the president pro  
1196 tempore of the Senate, one of whom is a municipal official of a  
1197 municipality having a population of more than fifty thousand and one  
1198 of whom has extensive high-level experience in public or corporate  
1199 finance or business or industry; two appointed by the speaker of the  
1200 House of Representatives, one of whom is a municipal official of a  
1201 municipality having a population of more than fifty thousand and one  
1202 of whom has extensive high-level experience in public or corporate  
1203 finance or business or industry; two appointed by the minority leader  
1204 of the Senate, one of whom is a municipal official of a municipality  
1205 having a population of fifty thousand or less and one of whom has  
1206 extensive high-level experience in public or corporate finance or  
1207 business or industry; two appointed by the minority leader of the House  
1208 of Representatives, one of whom is a municipal official of a municipality  
1209 having a population of fifty thousand or less and one of whom has  
1210 extensive, high-level experience in the environmental field. No director  
1211 may be a member of the General Assembly. The appointed directors  
1212 shall serve for terms of four years each, provided, of the directors first  
1213 appointed for terms beginning on June 1, 2002, (1) two of the directors  
1214 appointed by the Governor, one of the directors appointed by the  
1215 president pro tempore of the Senate, one of the directors appointed by  
1216 the speaker of the House of Representatives, one of the directors  
1217 appointed by the minority leader of the Senate and one of the directors

1218 appointed by the minority leader of the House of Representatives shall  
1219 serve an initial term of two years and one month, and (2) the other  
1220 appointed directors shall serve an initial term of four years and one  
1221 month. The appointment of each director for a term beginning on or  
1222 after June 1, 2004, shall be made with the advice and consent of both  
1223 houses of the General Assembly. The Governor shall designate one of  
1224 the directors to serve as chairperson of the board, with the advice and  
1225 consent of both houses of the General Assembly. The chairperson of the  
1226 board shall serve at the pleasure of the Governor. Any appointed  
1227 director who fails to attend three consecutive meetings of the board or  
1228 who fails to attend fifty per cent of all meetings of the board held during  
1229 any calendar year shall be deemed to have resigned from the board. Any  
1230 vacancy occurring other than by expiration of term shall be filled in the  
1231 same manner as the original appointment for the balance of the  
1232 unexpired term. As used in this subsection, "municipal official" means  
1233 the first selectman, mayor, city or town manager or chief financial officer  
1234 of a municipality, or a municipal employee with extensive public works  
1235 or waste management and recycling experience that has entered into a  
1236 solid waste disposal services contract with the authority and pledged  
1237 the municipality's full faith and credit for the payment of obligations  
1238 under such contract.] (1) The Governor, or the Governor's designee, (2)  
1239 the Secretary of the Office of Policy and Management, or the secretary's  
1240 designee, (3) the Commissioner of Administrative Services, or the  
1241 commissioner's designee, (4) the Commissioner of Energy and  
1242 Environmental Protection, or the commissioner's designee, (5) the  
1243 Commissioner of Economic and Community Development, or the  
1244 commissioner's designee, (6) the Commissioner of Public Health, or the  
1245 commissioner's designee, (7) one appointed by the president pro  
1246 tempore of the Senate, (8) one appointed by the speaker of the House of  
1247 Representatives, (9) one appointed by the minority leader of the Senate,  
1248 (10) one appointed by the minority leader of the House of  
1249 Representatives, and (11) one appointed by the mayor of Hartford.

1250 (c) The Governor, or the Governor's designee, shall serve as the  
1251 chairperson and shall, with the approval of the other directors, appoint

1252 a president of the authority who shall be an employee of the authority  
1253 and be paid a salary prescribed by the directors. The president shall  
1254 supervise the administrative affairs and technical activities of the  
1255 authority in accordance with the directives of the board.

1256 (d) Each appointed director shall be entitled to reimbursement for  
1257 such director's actual and necessary expenses incurred during the  
1258 performance of such director's official duties.

1259 (e) [~~Directors~~] Appointed directors may engage in private  
1260 employment, or in a profession or business, subject to any applicable  
1261 laws, rules and regulations of the state or federal government regarding  
1262 official ethics or conflict of interest.

1263 (f) Six directors of the authority shall constitute a quorum for the  
1264 transaction of any business or the exercise of any power of the authority,  
1265 [~~provided, two directors from municipal government shall be present~~  
1266 ~~in order for a quorum to be in attendance.~~] For the transaction of any  
1267 business or the exercise of any power of the authority, and except as  
1268 otherwise provided in this chapter, the authority may act by a majority  
1269 of the directors present at any meeting at which a quorum is in  
1270 attendance. [~~If the legislative body of a municipality that is the site of a~~  
1271 ~~facility passes a resolution requesting the Governor to appoint a~~  
1272 ~~resident of such municipality to be an ad hoc member, the Governor~~  
1273 ~~shall make such appointment upon the next vacancy for the ad hoc~~  
1274 ~~members representing such facility. The Governor shall appoint, with~~  
1275 ~~the advice and consent of the General Assembly, ad hoc members to~~  
1276 ~~represent each facility operated by the authority provided at least one-~~  
1277 ~~half of such members shall be chief elected officials of municipalities, or~~  
1278 ~~their designees. Each such facility shall be represented by two such~~  
1279 ~~members. The ad hoc members shall be electors from a municipality or~~  
1280 ~~municipalities in the area to be served by the facility and shall vote only~~  
1281 ~~on matters concerning such facility. The terms of the ad hoc members~~  
1282 ~~shall be four years.]~~

1283 [(g) The board may delegate to three or more directors such board



1284 powers and duties as it may deem necessary and proper in conformity  
1285 with the provisions of this chapter and its bylaws. At least one of such  
1286 directors shall be a municipal official, as defined in subsection (b) of this  
1287 section, and at least one of such directors shall not be a state employee.]

1288 [(h)] (g) Appointed directors may not designate a representative to  
1289 perform in their absence their respective duties under this chapter.

1290 [(i)] As used in this section, "director" includes such persons so  
1291 designated, as provided in this section, and such designation shall be  
1292 deemed temporary only and shall not affect any applicable civil service  
1293 or retirement rights of any person so designated.]

1294 [(j)] (h) The appointing authority for any director may remove such  
1295 director for inefficiency, neglect of duty or misconduct in office after  
1296 giving the director a copy of the charges against the director and an  
1297 opportunity to be heard, in person or by counsel, in the director's  
1298 defense, upon not less than ten days' notice. If any director shall be so  
1299 removed, the appointing authority for such director shall file in the  
1300 office of the Secretary of the State a complete statement of charges made  
1301 against such director and the appointing authority's findings on such  
1302 statement of charges, together with a complete record of the  
1303 proceedings.

1304 [(k)] (i) The authority shall [continue as long as it has bonds or other  
1305 obligations outstanding and until its existence is terminated by law]  
1306 terminate on July 1, 2025. Upon the termination of the existence of the  
1307 authority, all its rights and properties shall pass to and be vested in the  
1308 state of Connecticut in accordance with the provisions of section 17 of  
1309 this act.

1310 [(l)] (j) The directors, members and officers of the authority and any  
1311 person executing the bonds or notes of the authority shall not be liable  
1312 personally on such bonds or notes or be subject to any personal liability  
1313 or accountability by reason of the issuance thereof, nor shall any  
1314 director, member or officer of the authority be personally liable for

1315 damage or injury, not wanton or wilful, caused in the performance of  
1316 such person's duties and within the scope of such person's employment  
1317 or appointment as such director, member or officer.

1318 [(m) Notwithstanding any other provision of the general statutes, it  
1319 shall not constitute a conflict of interest for a trustee, director, partner or  
1320 officer of any person, firm or corporation, or any individual having a  
1321 financial interest in a person, firm or corporation, to serve as a director  
1322 of the authority, provided such trustee, director, partner, officer or  
1323 individual shall abstain from deliberation, action or vote by the  
1324 authority in specific respect to such person, firm or corporation.]

1325 Sec. 16. Subsection (b) of section 22a-262 of the general statutes is  
1326 repealed and the following is substituted in lieu thereof (*Effective July 1,*  
1327 *2023*):

1328 (b) [These] The purposes of this section and subsection (a) of section  
1329 11 of this act shall be considered to be operating responsibilities of the  
1330 authority, in accordance with the state-wide solid waste management  
1331 plan, and are to be considered in all respects public purposes.

1332 Sec. 17. (NEW) (*Effective July 1, 2025*) The Department of  
1333 Administrative Services shall constitute a successor agency to the  
1334 Connecticut Waste Authority in accordance with the provisions of  
1335 subsections (a) to (d), inclusive, and subsection (f) of section 4-38d and  
1336 section 4-38e of the general statutes.

1337 Sec. 18. Subsections (a) and (b) of section 16-244bb of the general  
1338 statutes are repealed and the following is substituted in lieu thereof  
1339 (*Effective from passage*):

1340 (a) There is established an account to be known as the sustainable  
1341 materials management account which shall be a separate, nonlapsing  
1342 account within the General Fund. The account shall contain moneys  
1343 collected by the alternative compliance payment for Class II renewable  
1344 portfolio standards pursuant to subsection (h) of section 16-244c and

1345 subsection (k) of section 16-245 and moneys deposited pursuant to  
1346 subsection (f) of section 22a-232, as amended by this act. The  
1347 Commissioner of Energy and Environmental Protection shall expend  
1348 moneys from the account for the purposes of the program established  
1349 under this section provided the commissioner may also pledge such  
1350 moneys for revenue bonds the proceeds of which shall be used to  
1351 support waste infrastructure projects described in this section.

1352 (b) On and after January 1, 2023, the Commissioner of Energy and  
1353 Environmental Protection shall establish and administer a sustainable  
1354 materials management program to support solid waste reduction in the  
1355 state through the provision of funding from the sustainable materials  
1356 management account for purposes, including, but not limited to, grants,  
1357 revolving loans, technical assistance, consulting services and waste  
1358 characterization studies, to support programs and projects  
1359 implemented by entities, including, but not limited to, municipalities,  
1360 nonprofits and regional waste authorities. Funding from such program  
1361 may be used to support the development of infrastructure necessary for  
1362 the management of solid waste materials at upgraded, expanded or  
1363 proposed facilities selected pursuant to section 3 of this act. Such  
1364 programs and projects shall promote affordable, sustainable and self-  
1365 sufficient management of waste within the state by reducing solid waste  
1366 generation or diverting solid waste from disposal, consistent with the  
1367 state-wide solid waste management plan established pursuant to  
1368 section 22a-228.

1369 Sec. 19. Section 22a-265a of the general statutes is repealed. (*Effective*  
1370 *July 1, 2023*)

1371 Sec. 20. Sections 22a-260 to 22a-284, inclusive, of the general statutes  
1372 and sections 10 and 11 of this act are repealed. (*Effective July 1, 2025*)

This act shall take effect as follows and shall amend the following sections:		
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Section 1	<i>October 1, 2023</i>	New section
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**Proposed Substitute Bill No. 6664**

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Sec. 2	<i>October 1, 2023</i>	New section
Sec. 3	<i>July 1, 2023</i>	New section
Sec. 4	<i>from passage</i>	22a-220(f)
Sec. 5	<i>October 1, 2023</i>	22a-220(k)
Sec. 6	<i>from passage</i>	22a-220a(a)
Sec. 7	<i>from passage</i>	22a-226e(a)(3)
Sec. 8	<i>July 1, 2023</i>	22a-232
Sec. 9	<i>from passage</i>	22a-2411(a)
Sec. 10	<i>July 1, 2023</i>	New section
Sec. 11	<i>July 1, 2023</i>	New section
Sec. 12	<i>from passage</i>	New section
Sec. 13	<i>from passage</i>	New section
Sec. 14	<i>July 1, 2023</i>	New section
Sec. 15	<i>July 1, 2023</i>	22a-261
Sec. 16	<i>July 1, 2023</i>	22a-262(b)
Sec. 17	<i>July 1, 2025</i>	New section
Sec. 18	<i>from passage</i>	16-244bb(a) and (b)
Sec. 19	<i>July 1, 2023</i>	Repealer section
Sec. 20	<i>July 1, 2025</i>	Repealer section