



AN ACT CONCERNING THE STATE'S BOTTLE BILL.

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

1 Section 1. Section 22a-246b of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2026*):

3 (a) The Commissioner of Energy and Environmental Protection shall
4 approve the formation of a beverage container stewardship
5 organization constituted by deposit initiators. [if] Not later than
6 December 1, 2027, or a later date, if approved by the commissioner, such
7 organization [submits] shall submit an application to the commissioner
8 that demonstrates such organization meets the following criteria: (1)
9 The organization is established and operated as an organization
10 described in section 501(c)(3) of the Internal Revenue Code of 1986, as
11 amended from time to time, and is exempt from taxation under said
12 section, (2) the governing board of such organization consists of deposit
13 initiators that represent the range of beverages and beverage container
14 materials subject to the state's beverage container redemption program,
15 and (3) such organization demonstrates that it has adequate financial
16 responsibility and financial controls in place, including fraud
17 prevention measures and an audit schedule, to ensure proper
18 management of funds.

19 (b) All deposit initiators shall register with and join any beverage
20 container stewardship organization approved pursuant to subsection

21 (a) of this section not later than three months after such organization's
22 approval by the commissioner. Any deposit initiator that wishes to
23 initiate the sale of beverage containers in the state after such three-
24 month period elapses shall register and join such organization not less
25 than ninety days prior to selling beverage containers in the state.

26 (c) [On or before July 1, 2022, any] Any organization approved
27 pursuant to subsection (a) of this section shall submit a plan, for the
28 commissioner's review and approval, to operate a state-wide beverage
29 container stewardship program, as described in this subsection. Such
30 plan shall be submitted not less than one hundred eighty days following
31 approval of such organization pursuant to subsection (a) of this section.

32 In developing any such plan, such organization shall obtain input from
33 members of the independent redemption centers community, municipal
34 resource recovery facilities, municipal leaders, wine and spirits
35 distributors and reverse vending machine operators. Such plan shall
36 demonstrate, in detail, how such organization will operate and finance
37 a program to provide for the redemption and recycling of beverage
38 containers in the state, including, but not limited to: (1) Achieving and
39 exceeding an annual redemption rate of eighty per cent by a specified
40 timeline, (2) achieving financial self-sustainability, (3) achieving
41 verifiable performance metrics for enhanced customer satisfaction with
42 and access to the beverage container redemption system, (4) adopting
43 policies and making investments to ensure that recovered materials are
44 returned to their highest and best use, (5) providing a detailed
45 description of how existing collection and redemption centers
46 throughout the state are to be utilized as part of such beverage container
47 stewardship program, (6) disclosing applicable rates of redemption as
48 of the time of such plan and those projected over the next five years
49 under the proposed beverage container stewardship program and the
50 recommended refund value for such containers that is necessary to
51 achieve such redemption rates, (7) identifying how the plan will yield
52 costs to the state or any participant of said program, (8) specifying
53 revenues that escheat to the state pursuant to said beverage container
54 stewardship program and any projected diminishment in the state's use

55 or collection of such revenues in the next five fiscal years, [beginning
56 July 1, 2022,] (9) identifying any legislative changes necessary to carry
57 out such plan, (10) preventing redemption within the state of containers
58 purchased outside of the state and related fraudulent activities, and
59 ~~[(10)]~~ (11) any other parameters or requirements specified by the
60 commissioner. The commissioner may provide conditions of approval
61 to ensure compliance with any of such requirements. The commissioner
62 shall not approve any such plan without verification that such
63 organization obtained input from members of the independent
64 redemption centers community, municipal resource recovery facilities,
65 municipal leaders, wine and spirits distributors and reverse vending
66 machine operators.

67 (d) Not later than [October 1, 2022] December 1, 2027, the
68 Commissioner of Energy and Environmental Protection shall submit
69 recommendations to the joint standing committee of the General
70 Assembly having cognizance of matters relating to the environment
71 concerning any plan submitted pursuant to subsection (c) of this section.

72 (e) Not less than one year following approval of such a plan by the
73 commissioner, and annually on each December first thereafter, such
74 organization shall submit to the commissioner a report that details such
75 organization's and applicable program's compliance with such
76 approved plan.

77 Sec. 2. (NEW) (*Effective October 1, 2026*) Not later than December 31,
78 2026, the Commissioner of Energy and Environmental Protection shall
79 study the efficacy of the provisions of public act 26-2 and determine if
80 the measures contained in such bill were effective in reducing the over
81 redemption of beverage containers in the state. If the commissioner
82 determines that such measures have not been effective in both: (1)
83 Creating a state-wide redemption rate of less than one hundred per cent
84 but not less than seventy-five per cent, and (2) significantly lowering the
85 individual redemption rates for distributors that were more than one
86 hundred per cent redeemed as of the effective date of public act 26-2, the
87 commissioner shall seek an opinion of the Attorney General on the

88 likely outcome of a statutory requirement for manufacturers to label
89 beverage containers with state specific indicia for the purpose of
90 identifying such containers sold in this state. Any such request of the
91 commissioner shall seek an assessment by the Attorney General of such
92 likely outcome as analyzed under the precedent of the United States
93 Court of Appeals for the Sixth Circuit and any other directly applicable
94 precedents with consideration of the measures contained in public act
95 26-2 and any other requirements or provisions of chapter 446d of the
96 general statutes intended to deter fraud and the illegal redemption of
97 beverage containers in this state. Not later than March 1, 2027, the
98 commissioner shall submit a report, in accordance with the provisions
99 of section 11-4a of the general statutes, on such study and any attendant
100 opinion of the Attorney General to the joint standing committee of the
101 General Assembly having cognizance of matters relating to the
102 environment. Such report shall include, but not be limited to, any
103 legislative recommendations from such study and Attorney General
104 opinion, as applicable.

105 Sec. 3. (NEW) (*Effective October 1, 2026*) Notwithstanding any
106 provision of chapter 446d of the general statutes, each distributor, as
107 defined in section 22a-243 of the general statutes, shall remove all
108 accumulated empty beverage containers of such distributor not more
109 than seven days after receipt of written or electronic notice from any
110 dealer or redemption center, as defined in section 22a-243 of the general
111 statutes. Any distributor who violates the provisions of this section shall
112 be fined in accordance with the provisions of section 22a-246 of the
113 general statutes.

114 Sec. 4. (NEW) (*Effective October 1, 2026*) (a) Notwithstanding the
115 provisions of chapter 446d of the general statutes, no distributor or
116 deposit initiator, as defined in section 22a-243 of the general statutes,
117 shall refuse to accept the scrap equivalent from any dealer or
118 redemption center that uses a reverse vending machine for the
119 redemption of any redeemed beverage container of the kind, size and
120 brand sold or distributed by such distributor or deposit initiator solely
121 because such container was processed and comingled through a reverse

122 vending machine, provided such reverse vending machine meets the
123 requirements established by the Commissioner of Energy and
124 Environmental Protection pursuant to this subsection.

125 (b) Notwithstanding the provisions of chapter 446d of the general
126 statutes, no distributor or deposit initiator shall refuse to pay the refund
127 value, handling fee or other payment required pursuant to this section
128 for any beverage container processed through a reverse vending
129 machine in accordance with this section.sb457

130 (c) The Commissioner of Energy and Environmental Protection shall
131 adopt regulations, in accordance with the provisions of chapter 54 of the
132 general statutes, to establish standards for reverse vending machines,
133 including, but not limited to, standards for accuracy, fraud prevention,
134 data retention and reporting requirements.

135 Sec. 5. Subparagraph (B) of subdivision (2) of subsection (e) of section
136 22a-245a of the general statutes, as amended by section 2 of public act
137 26-2, is repealed and the following is substituted in lieu thereof (*Effective*
138 *October 1, 2026*):

139 (B) Subsequently:

140 (i) For the fiscal year ending June 30, 2023, ninety-five per cent of the
141 balance outstanding in the special account that is attributable to the
142 immediately preceding calendar quarter shall be paid by the deposit
143 initiator on or before the last day of the month next succeeding the close
144 of such quarter to the Commissioner of Revenue Services for deposit in
145 the General Fund;

146 (ii) For the fiscal year ending June 30, 2024, (I) for the calendar
147 quarters ending September 30, 2023, and December 31, 2023, the
148 balances outstanding in the special account that are attributable to said
149 calendar quarters shall be retained in the special account by the deposit
150 initiator for the purpose of reimbursement of the refund value in effect
151 on January 1, 2024, for a redeemed beverage container in accordance
152 with the provisions of subsection (b) of this section and section 22a-244,

153 (II) for the calendar quarter ending March 31, 2024, sixty-five per cent of
154 the balance outstanding in the special account at the close of such
155 quarter, including any balance outstanding that is attributable to such
156 quarter and any remaining balance of the amount retained by the
157 deposit initiator pursuant to subclause (I) of this clause, shall be paid by
158 the deposit initiator on or before the last day of the month next
159 succeeding the close of such quarter to the Commissioner of Revenue
160 Services for deposit in the General Fund, and (III) for the calendar
161 quarter ending June 30, 2024, sixty-five per cent of the balance
162 outstanding in the special account that is attributable to the immediately
163 preceding calendar quarter shall be paid by the deposit initiator on or
164 before the last day of the month next succeeding the close of such
165 quarter to the Commissioner of Revenue Services for deposit in the
166 General Fund;

167 (iii) For the fiscal year ending June 30, 2025, fifty per cent of the
168 balance outstanding in the special account that is attributable to the
169 immediately preceding calendar quarter shall be paid by the deposit
170 initiator on or before the last day of the month next succeeding the close
171 of such quarter to the Commissioner of Revenue Services for deposit in
172 the General Fund;

173 (iv) For the fiscal year ending June 30, 2026, if the redemption rate
174 calculated under subsection (c) of this section for the preceding fiscal
175 year is:

176 (I) At least sixty per cent, twenty-five per cent of the balance
177 outstanding in the special account that is attributable to the immediately
178 preceding calendar quarter shall be paid by the deposit initiator on or
179 before the last day of the month next succeeding the close of such
180 quarter to the Commissioner of Revenue Services for deposit in the
181 General Fund; and

182 (II) Less than sixty per cent, forty-five per cent of the balance
183 outstanding in the special account that is attributable to the immediately
184 preceding calendar quarter shall be paid by the deposit initiator on or

185 before the last day of the month next succeeding the close of such
186 quarter to the Commissioner of Revenue Services for deposit in the
187 General Fund;

188 (v) For the fiscal year ending June 30, 2027, if the redemption rate
189 calculated under subsection (c) of this section for the preceding fiscal
190 year is:

191 (I) At least sixty-five per cent, twenty-five per cent of the balance
192 outstanding in the special account that is attributable to the immediately
193 preceding calendar quarter shall be paid by the deposit initiator on or
194 before the last day of the month next succeeding the close of such
195 quarter to the Commissioner of Revenue Services for deposit in the
196 General Fund;

197 (II) Less than sixty-five per cent but more than sixty per cent, thirty-
198 five per cent of the balance outstanding in the special account that is
199 attributable to the immediately preceding calendar quarter shall be paid
200 by the deposit initiator on or before the last day of the month next
201 succeeding the close of such quarter to the Commissioner of Revenue
202 Services for deposit in the General Fund; and

203 (III) Sixty per cent or less, forty-five per cent of the balance
204 outstanding in the special account that is attributable to the immediately
205 preceding calendar quarter shall be paid by the deposit initiator on or
206 before the last day of the month next succeeding the close of such
207 quarter to the Commissioner of Revenue Services for deposit in the
208 General Fund; and

209 (vi) For the fiscal year ending June 30, 2028, and each fiscal year
210 thereafter, if the redemption rate calculated under subsection (c) of this
211 section for the preceding fiscal year is:

212 (I) At least seventy-five per cent, [five] twenty-five per cent of the
213 balance outstanding in the special account that is attributable to the
214 immediately preceding calendar quarter shall be paid by the deposit
215 initiator on or before the last day of the month next succeeding the close

216 of such quarter to the Commissioner of Revenue Services for deposit in
217 the General Fund;

218 (II) Less than seventy-five per cent but more than sixty-five per cent,
219 [ten] fifty per cent of the balance outstanding in the special account that
220 is attributable to the immediately preceding calendar quarter shall be
221 paid by the deposit initiator on or before the last day of the month next
222 succeeding the close of such quarter to the Commissioner of Revenue
223 Services for deposit in the General Fund;

224 (III) Sixty-five per cent or less but more than sixty per cent, [twenty-
225 five] seventy-five per cent of the balance outstanding in the special
226 account that is attributable to the immediately preceding calendar
227 quarter shall be paid by the deposit initiator on or before the last day of
228 the month next succeeding the close of such quarter to the
229 Commissioner of Revenue Services for deposit in the General Fund; and

230 (IV) Sixty per cent or less, [forty-five] one hundred per cent of the
231 balance outstanding in the special account that is attributable to the
232 immediately preceding calendar quarter shall be paid by the deposit
233 initiator on or before the last day of the month next succeeding the close
234 of such quarter to the Commissioner of Revenue Services for deposit in
235 the General Fund.

236 Sec. 6. (NEW) (*Effective October 1, 2026*) Notwithstanding any
237 provision of chapter 446d of the general statutes, no dealer, as defined
238 in section 22a-243 of the general statutes, shall collect or charge a refund
239 value on a beverage container not purchased in this state. Any person
240 who wilfully collects or charges a refund value on a beverage container
241 not purchased in this state on the amount of five thousand or more
242 beverage containers in one or more separate transactions during a single
243 calendar year or who directs another person to do so shall have
244 committed a class B misdemeanor. Any person who wilfully collects or
245 charges a refund value on a beverage container not purchased in this
246 state on the amount of twenty thousand or more beverage containers in
247 one or more separate transactions during a one-year period or who

248 directs another person to do so shall have committed a class A
249 misdemeanor. Nothing in this section shall be construed to apply to any
250 common or contract carrier or warehouse worker while engaged in
251 lawfully transporting or storing beverage containers as merchandise, or
252 any employee of such carrier or warehouse worker who acts within the
253 scope of such employee's employment.

254 Sec. 7. (NEW) (*Effective October 1, 2026*) No dealer or redemption
255 center, as such terms are defined in section 22a-243 of the general
256 statutes, shall misrepresent the size, brand or quantity of beverage
257 containers provided to a distributor for removal from the premises of
258 such dealer or redemption center. Any dealer or redemption center who
259 violates the provisions of this section shall be fined in accordance with
260 the provisions of section 22a-246 of the general statutes.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2026</i>	22a-246b
Sec. 2	<i>October 1, 2026</i>	New section
Sec. 3	<i>October 1, 2026</i>	New section
Sec. 4	<i>October 1, 2026</i>	New section
Sec. 5	<i>October 1, 2026</i>	22a-245a(e)(2)(B)
Sec. 6	<i>October 1, 2026</i>	New section
Sec. 7	<i>October 1, 2026</i>	New section

Statement of Legislative Commissioners:

In Section 1(c), all references to July 1, 2022, were bracketed, for consistency and in Secs. 2 and 5, "senate bill 299 of the current session" was changed to "public act 26-2" for adherence to standard drafting conventions.

ENV Joint Favorable Subst. -LCO