A BILL FOR AN ACT

RELATING TO DEPOSIT BEVERAGE CONTAINERS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1   SECTION 1.   Section 342G-113, Hawaii Revised Statutes, is

2 amended as follows:

3   1. By amending subsection (b) to read:

4   "(b) Subsection (a) shall not apply to any dealer:

5   (1) Who is located in a high-density population area as

6   defined by the director in rules, and within [two

7   miles] one mile of a certified redemption center that

8   is operated independently of a dealer;

9   (2) Who is located in a rural area as defined by rule;

10   (3) Who subcontracts with a certified redemption center to

11   be operated on the dealer's premises;

12   (4) Whose sales of deposit beverage containers are only

13   via vending machines;

14   (5) Whose place of business is less than five thousand

15   square feet of interior space;

1   (6)   Who can demonstrate physical or financial hardship, or

2   both, based on specific criteria established by rule;

3   or

4   (7)   Who meets other criteria established by the director.

5   Notwithstanding paragraphs (1) and (2), the director may allow

6   the placement of redemption centers at greater than prescribed

7   distances to accommodate geographical features while ensuring

8   adequate consumer convenience."

9   2.   By amending subsection (d) to read:

10   "(d)   If there is no redemption center within the [two-

11   mile] one-mile radius of a dealer due to the criteria described

12   in subsection (b), then the respective county and the State

13   shall determine the need for a redemption center in that area.

14   If a redemption center is deemed necessary, then the State, with

15   assistance from the county, shall establish the redemption

16   center with funding from the deposit beverage container deposit

17   special fund."

18   SECTION 2.   Section 342G-117, Hawaii Revised Statutes, is

19   amended by amending subsections (b) and (c) to read as follows:

20   "(b)   The department shall [evaluate] adjust the handling

21   fee at least once per year[.   If the department changes the

1   ~~amount of the handling fee, the department shall~~] and publish

2   notice of the change within thirty days of its determination.

3   (c) The handling fee shall be paid in addition to the

4   refund value of each empty deposit beverage container. Payments

5   for handling fees shall be based on redemption center reports

6   submitted to the department; provided that there is no

7   discrepancy in the reports[~~.~~]; provided further that the amount

8   of the handling fee in any calendar year shall not be less than

9   the amount of the handling fee in the prior calendar year as

10   adjusted by the applicable percentage change in the Consumer

11   Price Index for All Urban Consumers in the Honolulu area

12   published by the Bureau of Labor Statistics of the United States

13   Department of Labor. The department may choose to pay the

14   handling fee and refund value on the basis of the total weight

15   of the containers received by material type and the average

16   weight of each container type; provided that the deposit

17   beverage container is physically received by the redemption

18   center."

19   SECTION 3. Statutory material to be repealed is bracketed

20   and stricken. New statutory material is underscored.

21   SECTION 4. This Act shall take effect on July 1, 2024.

Report Title:
Deposit Beverage Containers; Redemption; Handling Fee; CPI

Description:
Exempts a beverage dealer who is in a high-density population area from operating a redemption center if the dealer is located within one mile of a certified redemption center operated independently of the dealer. Requires the department of health to annually adjust the handling fees for the deposit beverage container program to an amount not less than the handling fee in the prior calendar year as adjusted by percentage changes in the Consumer Price Index for the Honolulu area. Takes effect on 7/1/2024. (SD1)

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