
A BILL FOR AN ACT

RELATING TO POSTCONSUMER RECYCLED CONTENT.

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

1 SECTION 1. The legislature finds that minimum postconsumer
2 recycled content requirements for deposit beverage containers
3 are needed to reduce waste, transition the State toward a
4 circular economy, and encourage interest in recycling among
5 deposit beverage distributors. The implementation of a minimum
6 postconsumer recycled content requirement for deposit beverage
7 containers will divert waste from landfills and direct them to
8 recycling, thus reducing waste.

9 Therefore, the purpose of this Act is to establish minimum
10 postconsumer recycled content requirements for deposit beverage
11 containers.

12 SECTION 2. Chapter 342G, Hawaii Revised Statutes, is
13 amended by adding a new part to be appropriately designated and
14 to read as follows:

15 "PART . POSTCONSUMER RECYCLED CONTENT

16 §342G- Definitions. As used in this part:



1 "Deposit beverage container" has the same meaning as in
2 section 342G-101.

3 "Deposit beverage distributor" has the same meaning as in
4 section 342G-101.

5 "Postconsumer recycled content" means the content of a
6 product that is made of recycled materials derived specifically
7 from recycled material generated by households or by commercial,
8 industrial, or institutional facilities in their role as end
9 users of the product and that can no longer be used for its
10 intended purpose, including returns of material from the
11 distribution chain.

12 §342G- Postconsumer recycled content; requirements;
13 enforcement. (a) Every deposit beverage distributor that
14 sells, offers for sale, or distributes deposit beverage
15 containers in the State shall meet minimum postconsumer recycled
16 content as required by this section.

17 (b) A deposit beverage distributor that sells, offers for
18 sale, or distributes deposit beverage containers in or into the
19 State shall meet the following annual minimum postconsumer
20 recycled content on average for the total quantity of deposit



1 beverage containers that are sold, offered for sale, or
2 distributed in the State:

3 (1) No less than fifteen per cent postconsumer recycled
4 content by weight or another metric as determined by
5 the department by December 31, 2028;

6 (2) No less than twenty-five per cent postconsumer
7 recycled content by weight or another metric as
8 determined by the department by December 31, 2033; and

9 (3) No less than fifty per cent postconsumer recycled
10 content by weight or another metric as determined by
11 the department on and after January 1, 2035;

12 provided that the requirements of this subsection shall not
13 apply to plastic caps or lids and labeling.

14 (c) The department shall enforce this part and, subject to
15 chapter 91, may adopt rules with respect to:

16 (1) Adjusting the minimum postconsumer recycled content
17 percentage required pursuant to this section;

18 (2) Reporting requirements by deposit beverage
19 distributors of deposit beverage containers subject to
20 this part;

21 (3) Providing penalties or fees; and



1 (4) Any other matters as may be necessary in order to
2 implement this part."

3 SECTION 3. There is appropriated out of the general
4 revenues of the State of Hawaii the sum of \$ or so
5 much thereof as may be necessary for fiscal year 2022-2023 for
6 the department of health to establish full time (FTE)
7 positions for the enforcement of deposit beverage recycling
8 requirements.

9 The sum appropriated shall be expended by the department of
10 health for the purposes of this Act.

11 SECTION 4. This Act shall take effect on July 1, 2100.



Report Title:

Deposit Beverage Distributors; Deposit Beverage Containers;
Postconsumer Recycled Content; Department of Health;
Appropriation

Description:

Requires deposit beverage distributors that sell, offer for sale, or distribute deposit beverage containers in the State to meet minimum postconsumer recycled content requirements. Makes an appropriation. Effective 7/1/2100. (SD1)

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