

---

---

# A BILL FOR AN ACT

RELATING TO THE DEPOSIT BEVERAGE CONTAINER PROGRAM.

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

1 SECTION 1. Section 342G-113, Hawaii Revised Statutes, is  
2 amended to read as follows:

3 **"§342G-113 Redemption of empty deposit beverage**

4 **containers.** (a) Except as provided in subsection (b), a dealer  
5 shall:

6 (1) Operate a redemption center by July 1, 2005, and shall  
7 accept all types of empty deposit beverage containers  
8 with a Hawaii refund value;

9 (2) Pay to the redeemer the full refund value for all  
10 deposit beverage containers that bear a valid Hawaii  
11 refund value; and

12 (3) Ensure each deposit beverage container collected is  
13 recycled, and forward documentation necessary to  
14 support claims for payment as stated in section  
15 342G-119 or rules adopted under this part.

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

17 (1) ~~[Who is located in a high density population area as~~  
18 ~~defined by the director in rules, and within two miles~~



- 1 ~~of a certified redemption center that is operated~~  
2 ~~independently of a dealer;~~
- 3 ~~(2) Who is located in a rural area as defined by rule;~~
- 4 ~~(3)] Who subcontracts with a certified redemption center to~~  
5 ~~be operated on the dealer's premises;~~
- 6 ~~[(4)] (2) Whose sales of deposit beverage containers are~~  
7 ~~only via vending machines;~~
- 8 ~~[(5)] (3) Whose place of business is less than five~~  
9 ~~thousand square feet of interior space;~~
- 10 ~~[(6)] (4) Who can demonstrate physical or financial~~  
11 ~~hardship, or both, based on specific criteria~~  
12 ~~established by rule; or~~
- 13 ~~[(7)] (5) Who meets other criteria established by the~~  
14 ~~director.~~

15 ~~[Notwithstanding paragraphs (1) and (2), the]~~ The director may  
16 allow the placement of redemption centers ~~[at greater than~~  
17 ~~prescribed distances]~~ to accommodate geographical features while  
18 ensuring adequate consumer convenience.

19 (c) Regardless of the square footage of a dealer's place  
20 of business, dealers who are not redemption centers shall post a  
21 clear and conspicuous sign at the primary public entrance of the



1 dealer's place of business that specifies the name, address, and  
2 hours of operation of the closest redemption center locations.

3 ~~(d) [If there is no redemption center within the two-mile~~  
4 ~~radius of a dealer due to the criteria described in subsection~~  
5 ~~(b), then the respective county and the State shall determine~~  
6 ~~the need for a redemption center in that area. If a redemption~~  
7 ~~center is deemed necessary, then the State, with assistance from~~  
8 ~~the county, shall establish the redemption center with funding~~  
9 ~~from the deposit beverage container deposit special fund.~~

10 (e)] Businesses that sell deposit beverages for  
11 on-premises consumption, such as hotels, bars, and restaurants,  
12 shall collect used deposit beverage containers from the patron  
13 and either use a certified redemption center for the collection  
14 of containers or become a certified redemption center."

15 SECTION 2. Statutory material to be repealed is bracketed  
16 and stricken. New statutory material is underscored.

17 SECTION 3. This Act shall take effect July 1, 2050.

**Report Title:**

Waste Management; Deposit Beverage Container Program

**Description:**

Requires dealers in high density population and rural areas to operate redemption centers. (SD1)

