

JAN 19 2024

A BILL FOR AN ACT

RELATING TO 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 to read as follows:

3 "§342G-113 Redemption of empty deposit beverage
4 containers. (a) [~~Except as provided in subsection (b), a~~] A
5 dealer 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[~~†~~] of the kind, size, and
9 brand sold by the dealer;

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

13 (3) Ensure each deposit beverage container collected is
14 recycled, and forward documentation necessary to
15 support claims for payment as stated in section
16 342G-119 or rules adopted under this part.

17 [~~(b) Subsection (a) shall not apply to any dealer.~~]



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

16 ~~Notwithstanding paragraphs (1) and (2),]~~

17 (b) [the] The director may allow the placement of

18 redemption centers at greater than prescribed distances to

19 accommodate geographical features while ensuring adequate

20 consumer convenience.



1 ~~[(c) Regardless of the square footage of a dealer's place~~
2 ~~of business, dealers who are not redemption centers shall post a~~
3 ~~clear and conspicuous sign at the primary public entrance of the~~
4 ~~dealer's place of business that specifies the name, address, and~~
5 ~~hours of operation of the closest redemption center locations.~~

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

13 (c) Regional centers for the redemption of refillable
14 beverage containers may be established, in addition to but not
15 as substitutes, for the means established for refunds of
16 deposits prescribed in subsection(a).

17 ~~[(e)]~~ (d) Businesses that sell deposit beverages for on-
18 premises consumption, such as hotels, bars, and restaurants,
19 shall collect used deposit beverage containers from the patron
20 and either use a certified redemption center for the collection
21 of containers or become a certified redemption center."



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

3 SECTION 3. This Act shall take effect upon its approval.

4

INTRODUCED BY: Karl Rhoad



S.B. NO. 2389

Report Title:

Beverage Redemption Centers; Refillable Beverage Containers;
Beverage Container Refunds; Regional Centers

Description:

Allows for the establishment of additional regional centers for the redemption of refillable beverage containers. Repeals exemptions for certain beverage dealers.

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