

HOUSE No. 3277

The Commonwealth of Massachusetts

PRESENTED BY:

Michelle L. Ciccolo

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act to encourage plastic bottle recycling.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Michelle L. Ciccolo</i>	<i>15th Middlesex</i>	<i>2/19/2021</i>
<i>Steven C. Owens</i>	<i>29th Middlesex</i>	<i>2/24/2021</i>
<i>Maria Duaiame Robinson</i>	<i>6th Middlesex</i>	<i>2/25/2021</i>
<i>Jessica Ann Giannino</i>	<i>16th Suffolk</i>	<i>2/25/2021</i>
<i>Tommy Vitolo</i>	<i>15th Norfolk</i>	<i>2/25/2021</i>
<i>Christina A. Minicucci</i>	<i>14th Essex</i>	<i>2/26/2021</i>
<i>Patrick Joseph Kearney</i>	<i>4th Plymouth</i>	<i>2/26/2021</i>
<i>Lindsay N. Sabadosa</i>	<i>1st Hampshire</i>	<i>2/26/2021</i>
<i>David Allen Robertson</i>	<i>19th Middlesex</i>	<i>2/26/2021</i>
<i>Brian W. Murray</i>	<i>10th Worcester</i>	<i>2/26/2021</i>
<i>Jack Patrick Lewis</i>	<i>7th Middlesex</i>	<i>2/26/2021</i>
<i>Michelle M. DuBois</i>	<i>10th Plymouth</i>	<i>2/26/2021</i>
<i>Richard M. Haggerty</i>	<i>30th Middlesex</i>	<i>2/26/2021</i>
<i>Nika C. Elugardo</i>	<i>15th Suffolk</i>	<i>2/26/2021</i>
<i>Bud L. Williams</i>	<i>11th Hampden</i>	<i>2/26/2021</i>
<i>Joanne M. Comerford</i>	<i>Hampshire, Franklin and Worcester</i>	<i>3/8/2021</i>
<i>Vanna Howard</i>	<i>17th Middlesex</i>	<i>3/19/2021</i>

HOUSE No. 3277

By Ms. Ciccolo of Lexington, a petition (accompanied by bill, House, No. 3277) of Michelle L. Ciccolo and others relative to the construction of certain plastic containers subject to the bottle law, so-called. Telecommunications, Utilities and Energy.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Second General Court
(2021-2022)**

An Act to encourage plastic bottle recycling.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1.

2 (a) Between January 1, 2022, and December 31, 2024, inclusive, the total number of
3 plastic beverage containers filled with a beverage sold by a beverage manufacturer subject to The
4 Beverage Container Recovery Law, M.G.L. Chapter 94, Sections 321-327, for sale in the
5 Commonwealth of Massachusetts shall, on average, contain no less than 15 percent
6 postconsumer recycled plastic per year.

7 (B) Between January 1, 2025, and December 31, 2029, inclusive, the total number of
8 plastic beverage containers filled with a beverage sold by a beverage manufacturer subject to The
9 Beverage Container Recovery Law, M.G.L. Chapter 94, Sections 321-327, for sale in the
10 Commonwealth of Massachusetts shall, on average, contain no less than 25 percent
11 postconsumer recycled plastic per year.

12 (C) On and after January 1, 2030, the total number of plastic beverage containers filled
13 with a beverage sold by a beverage manufacturer subject to The Beverage Container Recovery
14 Law, M.G.L. Chapter 94, Sections 321-327, for sale in the Commonwealth of Massachusetts
15 shall, on average, contain no less than 50 percent postconsumer recycled plastic per year.

16 SECTION 2.

17 (a) On or before March 1 of each year, a manufacturer of a beverage sold in a plastic
18 beverage container subject to The Beverage Container Recovery Law, M.G.L. Chapter 94,
19 Sections 321-327 shall report to the Department of Environmental Protection of the
20 Commonwealth of Massachusetts (hereafter referred to as “the Department”) the amount in
21 pounds and by resin type of virgin plastic and postconsumer recycled plastic used by the
22 manufacturer for plastic beverage containers subject to the The Beverage Container Recovery
23 Law, M.G.L. Chapter 94, Sections 321-327 for sale in the Commonwealth in the previous
24 calendar year. The manufacturer shall submit this information to the Department under penalty
25 of perjury pursuant to standardized forms in the form and manner prescribed by the Department.

26 (b) On or before March 1, 2024, and annually thereafter, a plastic material reclaimer shall
27 report to the Department the amount in pounds and by resin type of empty plastic beverage
28 containers subject to The Beverage Container Recovery Law, M.G.L. Chapter 94, Sections 321-
29 327, that the plastic material reclaimer has collected and sold in the previous calendar year. The
30 report shall specify the amount in pounds and by resin type of empty plastic containers sold in
31 the Commonwealth for beverage processing. The plastic material reclaimer shall submit this
32 information to the Department under penalty of perjury pursuant to standardized forms in the
33 form and manner prescribed by the Department.

34 (c) On or before March 1, 2024, and annually thereafter, a manufacturer of postconsumer
35 recycled plastic shall report to the Department the amount in pounds of food-grade flake, pellet,
36 sheet, fines, or other forms that were sold in the previous calendar year and their capacity to
37 produce food-grade material. The report shall specify the amount in pounds of material that
38 meets beverage manufacturer specifications for bottle-grade material. The report shall include
39 the amount in pounds of food-grade material sold in the state for beverage processing. The
40 manufacturer shall submit this information to the Department under penalty of perjury pursuant
41 to standardized forms in the form and manner prescribed by the Department.

42 (d) The Department shall post the information reported pursuant to subdivision (a) within
43 45 days on the Department's internet website.

44 (e) This section does not apply to a refillable plastic beverage container.

45 SECTION 3.

46 This law shall not apply to rigid plastic containers or rigid plastic bottles that are medical
47 devices, medical products that are required to be sterile, prescription medicine, or packaging
48 used for those products.