



Senate Fiscal Agency
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BILL ANALYSIS



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Senate Bill 859 (as introduced 12-2-03)
Sponsor: Senator Dennis Olshove
Committee: Natural Resources and Environmental Affairs

Date Completed: 12-2-03

CONTENT

The bill would amend the Natural Resources and Environmental Protection Act to expand the conditions under which a beverage dealer or distributor may refuse to refund a deposit on a returnable container.

Under the act, a dealer or distributor who regularly sells beverages for off-premises consumption must refund a consumer's deposit on a beverage container, if the dealer sells that kind, size, and brand of beverage. A dealer or distributor may refuse to accept a returnable container that does not state its refund value and the name of this State (unless a container has a refund value of less than 10 cents, has a brand name permanently marked on it, and has a securely affixed method of indicating that it is a returnable container).

The bill would retain these provisions, and allow a dealer or distributor to refuse to accept a returnable container if any of the following applied:

- The container contained residue of any substance other than the original contents of the container.
- The container was crushed or mutilated to the extent that the bar code was not legible.
- The container presented an unacceptable health risk to a dealer or distributor, or any customer or employee of the dealer or distributor.

MCL 445.572

Legislative Analyst: Claire Layman

FISCAL IMPACT

The State would realize slightly more revenue as a result of this bill. The bill would create additional reasons a retailer could refuse to accept a returnable container and return the deposit. This would result in somewhat more revenue in the Bottle Deposit Fund as a result of more unclaimed deposits. Deposits paid on returnable containers are placed in the Bottle Deposit Fund. The Fund received \$32.1 million in FY 2001-02 and the money was distributed for payments to retailers, pollution prevention grants, and environmental cleanup projects.

Fiscal Analyst: Jessica Runnels

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