

HB0107S01 compared with HB0107

~~text~~ shows text that was in HB0107 but was deleted in HB0107S01.

text shows text that was not in HB0107 but was inserted into HB0107S01.

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Representative Douglas R. Welton proposes the following substitute bill:

RECYCLING FACILITY TRANSPARENCY AMENDMENTS

2024 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Douglas R. Welton

Senate Sponsor: _____

LONG TITLE

General Description:

This bill requires ~~certain recycling facilities~~ political subdivisions to publish information about the ~~end location~~ collection of recyclable materials.

Highlighted Provisions:

This bill:

- ▶ defines terms;
- ▶ requires a ~~recycling facility that bills customers through a~~ recyclable material hauler to report data to political ~~subdivision's billing and collection system to provide, to the political subdivision, data about the end location of recyclable materials collected by the~~ subdivisions about the amount of recycling material collected;
- ▶ requires a recycling facility ~~and~~ to submit an annual report on the amount of

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recycling material collected to the Division of Waste Management and Radiation

Control:

- ▶ requires a political subdivision to publish the recycling data ~~{ in a newsletter and, if the political subdivision operates a website, on the political subdivision's website}~~; and
- ▶ makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

19-6-509, as last amended by Laws of Utah 2023, Chapter 206

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **19-6-509** is amended to read:

19-6-509. Recycling data.

(1) As used in this section:

(a) (i) "Municipal solid waste" means nonhazardous solid waste, including garbage, refuse, office waste, or other similar material that results from the operation of residential, municipal, commercial, or institutional establishments or community activities.

(ii) "Municipal solid waste" does not include a plastic or material that is converted or held at an advanced recycling facility, including:

(A) post-use polymers; or

(B) recovered feedstock.

(b) "Recyclable material" means municipal solid waste that is suitable for recycling.

(c) "Recyclable material hauler" means a person, including a political subdivision,

who:

(i) for compensation, collects and transports recyclable material; and

(ii) uses the billing and collection system of a political subdivision to bill or collect payment from the recyclable material hauler's customers.

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(d) "Recycle" means to take action to recover recyclable materials from the municipal solid waste stream for the purposes of use or reuse, conversion into raw materials, or use in the production of new products.

(e) "Recycling facility" means a facility that:

(i) accepts recyclable material collected and paid for through a political subdivision's billing process;

(ii) separates the recyclable material by material type;

(iii) sells the recyclable material ~~to an end destination;~~ and

(iv) ~~delivers~~ sends the waste stream contaminant to a landfill ~~;~~ and

~~uses the billing and collection system of a political subdivision to bill or collect payment for the services provided~~;

(f) "Recycling facility annual report" is a report submitted each year by a recycling facility to the Division of Waste Management and Radiation Control.

(2) A recyclable material hauler shall ~~report~~ ~~gather, and~~, in accordance with Subsection (3) ~~and according~~ report to the best of the ~~recycler's~~ recyclable material hauler's knowledge, collect data on the approximate tonnage of recyclable material collected by the recyclable material hauler that the recyclable material hauler delivered directly, or through an intermediary hauler, to:

(a) a landfill; ~~and~~ or

(b) a recycling facility.

(3) (a) At least two times each calendar year, a recyclable material hauler shall ~~provide the information~~ report the data described in Subsection (2) to ~~the~~ ~~each~~ political subdivision whose billing and collection system the recyclable material hauler uses each political subdivision that the recyclable material hauler uses for billing and collection.

(b) The recyclable material hauler shall provide data under Subsection (3)(a) for the longer of:

(i) the time since the recyclable material hauler last provided the data; or

(ii) six months before the day on which the data is provided.

(4) Within 45 days after the day on which a recyclable material hauler provides data under this section, ~~a~~ the political subdivision shall publish the data, as available:

(a) in a newsletter produced by the ~~municipality~~ political subdivision; and

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(b) if the political subdivision operates a website, on [a] the website operated by the [municipality] political subdivision.

(5) (a) A recycling facility shall ~~gather, and, in accordance with Subsection (6), report to the best of the recycling facility's knowledge, the approximate tonnage of recyclable material collected by the recycling facility that the recycling facility:~~

~~— (a) delivered to a landfill; or~~

~~— (b) sold to an end destination.~~

~~— (6) (a) At least two times each calendar year, }submit a recycling facility {shall provide the information described in Subsection (5) to each political subdivision whose billing and collection system the recycling facility uses} annual report by March 1.~~

(b) The recycling facility shall ~~provide data under Subsection (6)(a) for the longer of:~~

~~— (i) the time since }complete the recycling facility {last provided the data; or~~

~~— (ii) six months before the day on which the data is provided.~~

~~— (7) Within 45 days after the day on which a }annual report:~~

(i) using the methods approved by the Division of Waste Management and Radiation Control; and

(ii) including data collected during the previous calendar year.

(c) The Division of Waste Management and Radiation Control shall compile the data submitted in the recycling facility {provides data under this section, the} annual reports described in this Subsection (5) by June 1 each year.

(6) A political subdivision shall publish the data {, as available} or an electronic link to the data compiled by the Division of Waste Management and Radiation Control from the recycling facility annual reports described in Subsection (5):

(a) in a newsletter produced by the political subdivision that is published between June 1 and October 1 of each year; and

(b) if {the} a political subdivision operates a website, on the website {operated by the political subdivision} each year beginning on a date that occurs between June 1 and October 1, and ending no earlier than December 31 of the same year.

Section 2. **Effective date.**

This bill takes effect on May 1, 2024.