



200016

LEGISLATIVE ACTION

Senate	.	House
Comm: WD	.	
02/07/2018	.	
	.	
	.	
	.	

---

The Committee on Community Affairs (Perry) recommended the following:

**Senate Amendment (with title amendment)**

Delete lines 120 - 167

and insert:

(22) Counties and municipalities must address the contamination of recyclable material in contracts for the collection, transportation, and processing of residential recyclable material based upon the following:

(a) A residential recycling collector may not be required to collect or transport contaminated recyclable material, except



200016

11 pursuant to a contract consistent with paragraph (c). As used in  
12 this subsection, the term "residential recycling collector"  
13 means a for-profit business entity that collects and transports  
14 residential recyclable material on behalf of a county or  
15 municipality.

16 (b) A recovered materials processing facility may not be  
17 required to process contaminated recyclable material, except  
18 pursuant to a contract consistent with subsection (d).

19 (c) Each contract between a residential recycling collector  
20 and a county or municipality for the collection or transport of  
21 residential recyclable material, and each request for proposal  
22 or other solicitation for residential recyclable material, must  
23 define the term "contaminated recyclable material." The term  
24 must be defined in a manner that is appropriate for the local  
25 community, taking into consideration available markets for  
26 recyclable material, available waste composition studies, and  
27 other relevant factors. The contract and request for proposal or  
28 other solicitation must include:

29 1. The respective strategies and obligations of the county  
30 or municipality and the collector to reduce the amount of  
31 contaminated recyclable material being collected;

32 2. The procedures for identifying, documenting, managing,  
33 and rejecting residential recycling containers, carts, or bins  
34 that contain contaminated recyclable material;

35 3. The remedies authorized to be used if a container, cart,  
36 or bin contains contaminated recyclable material; and

37 4. The education and enforcement measures that will be used  
38 to reduce the amount of contaminated recyclable material.

39 (d) Each contract between a recovered materials processing



200016

40 facility and a county or municipality for processing residential  
41 recyclable material, and each request for proposal or other  
42 solicitation for processing residential recyclable material,  
43 must define the term "contaminated recyclable material." The  
44 term must be defined in a manner that is appropriate for the  
45 local community, taking into consideration available markets for  
46 recyclable material, available waste composition studies, and  
47 other relevant factors. The contract and request for proposal  
48 must include:

49 1. The respective strategies and obligations of the county  
50 or municipality and the facility to reduce the amount of  
51 contaminated recyclable material being collected;

52 2. The procedures for identifying, documenting, managing,  
53 and rejecting residential recycling containers, carts, or bins  
54 that contain contaminated recyclable material;

55 3. The remedies authorized to be used if a container, cart,  
56 or bin contains contaminated recyclable material; and

57 (e) This subsection applies to each contract between a  
58 municipality or county and a residential recycling collector or  
59 recovered materials processing facility executed or renewed  
60 after July 1, 2018.

61  
62 ===== T I T L E A M E N D M E N T =====

63 And the title is amended as follows:

64 Delete lines 22 - 25

65 and insert:

66 residential recycling collectors except under certain  
67 conditions; defining the term "residential recycling  
68 collector"; prohibiting counties and municipalities



200016

69 from requiring the processing of contaminated  
70 recyclable material by recovered materials processing  
71 facilities except under certain conditions; specifying  
72 required contract provisions in residential recycling  
73 collector and recovered materials processing facility  
74 contracts with