

REFERENCE TITLE: **single-use plastics; recyclables; fee**

State of Arizona
House of Representatives
Fifty-fifth Legislature
Second Regular Session
2022

HB 2833

Introduced by
Representatives Tsosie: Blackwater-Nygren, Cano

AN ACT

**AMENDING TITLE 49, CHAPTER 4, ARTICLE 4, ARIZONA REVISED STATUTES, BY
ADDING SECTION 49-775; RELATING TO SOLID WASTE.**

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:
2 Section 1. Title 49, chapter 4, article 4, Arizona Revised
3 Statutes, is amended by adding section 49-775, to read:
4 49-775. Single-use plastics; recyclables; fee
5 A. A PERSON THAT SELLS AT RETAIL GROCERIES, FOOD OR BEVERAGES FOR
6 USE OR CONSUMPTION OFFSITE MAY SELL OR USE SINGLE-USE DISPOSABLE CUPS,
7 SINGLE-USE DISPOSABLE STRAWS, SINGLE-USE BAGS, SINGLE-USE DISPOSABLE FOOD
8 CONTAINERS AND RECYCLABLE FOOD CONTAINERS ONLY IF THE PERSON COLLECTS A
9 FEE FROM THE CUSTOMER FOR EACH SINGLE-USE DISPOSABLE CUP, SINGLE-USE
10 DISPOSABLE STRAW, SINGLE-USE BAG, SINGLE-USE DISPOSABLE FOOD CONTAINER AND
11 RECYCLABLE FOOD CONTAINER.
12 B. THE DIRECTOR SHALL ESTABLISH BY RULE THE AMOUNT OF THE FEE TO BE
13 COLLECTED AS PRESCRIBED IN SUBSECTION A OF THIS SECTION. THE FEE SHALL BE
14 COLLECTED AND TRANSMITTED BY THE RETAILER IN THE SAME MANNER AS A
15 TRANSACTION PRIVILEGE TAX FOR USE AS FOLLOWS:
16 1. FIFTY PERCENT OF THE FEE COLLECTED PURSUANT TO SUBSECTION A OF
17 THIS SECTION SHALL BE TRANSFERRED TO THE CITY, TOWN OR COUNTY IN WHICH THE
18 FEE IS COLLECTED AND A PORTION OF THAT AMOUNT SHALL BE USED TO PAY A
19 REFUND TO PERSONS WHO RETURN FOR RECYCLING A RECYCLABLE FOOD CONTAINER.
20 2. FORTY PERCENT OF THE FEE COLLECTED ON A SINGLE-USE DISPOSABLE
21 CUP, SINGLE-USE DISPOSABLE STRAW OR SINGLE-USE DISPOSABLE FOOD CONTAINER
22 SHALL BE USED FOR PAYMENT FOR THE COSTS OF OPERATING A HOUSEHOLD WASTE
23 RECYCLING PROGRAM FOR ANY CITY, TOWN OR COUNTY IN WHICH THE HOUSEHOLD
24 WASTE RECYCLING PROGRAM OPERATES AT A FINANCIAL LOSS AND FOR POLLUTION
25 REMEDIATION, INCLUDING REMEDIATION OF POLLUTION FROM THE PRODUCTION OR USE
26 OF URANIUM.
27 3. THE REMAINING PORTION OF EACH FEE COLLECTED SHALL BE TRANSFERRED
28 FOR DEPOSIT IN THE STATE GENERAL FUND.