



Substitute Senate Bill No. 1037

Public Act No. 21-58

AN ACT CONCERNING SOLID WASTE MANAGEMENT.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. Section 22a-243 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective January 1, 2023*):

For purposes of sections 22a-243 to 22a-245c, inclusive, as amended by this act:

(1) "Carbonated beverage" means beer or other malt beverages, hard seltzer, hard cider and mineral waters, soda water and similar carbonated soft drinks in liquid form and intended for human consumption;

(2) "Noncarbonated beverage" means any water, including flavored water, plant water, nutritionally enhanced water, juice, juice drink, tea, coffee, kombucha, plant infused drink, sports drink or energy drink and any beverage that is identified through the use of letters, words or symbols on such beverage's product label as a type of water, juice, tea, coffee, kombucha, plant infused drink, sports drink or energy drink but excluding [juice and] mineral water;

(3) "Beverage container" means the individual, separate, sealed glass, metal or plastic bottle, can, jar or carton containing [a carbonated or

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noncarbonated beverage, but does not include a bottle, can, jar or carton (A)] three liters or [more in size if containing a noncarbonated] less of a carbonated beverage, or [(B) made of high-density polyethylene] two and one-half liters or less of a noncarbonated beverage. "Beverage container" does not include any such bottle, can, jar or carton that contains less than one hundred fifty milliliters of any such carbonated or noncarbonated beverage;

(4) "Consumer" means every person who purchases a beverage in a beverage container for use or consumption;

(5) "Dealer" means every person who engages in the sale of beverages in beverage containers to a consumer;

(6) "Distributor" means every person who engages in the sale of beverages in beverage containers to a dealer in this state including any manufacturer who engages in such sale and includes a dealer who engages in the sale of beverages in beverage containers on which no deposit has been collected prior to retail sale;

(7) "Manufacturer" means every person bottling, canning or otherwise filling beverage containers for sale to distributors or dealers or, in the case of private label brands, the owner of the private label trademark;

(8) "Place of business of a dealer" means the fixed location at which a dealer sells or offers for sale beverages in beverage containers to consumers;

(9) "Redemption center" means any facility established to redeem empty beverage containers from consumers or to collect and sort empty beverage containers from dealers and to prepare such containers for redemption by the appropriate distributors;

(10) "Use or consumption" includes the exercise of any right or power

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over a beverage incident to the ownership thereof, other than the sale or the keeping or retention of a beverage for the purposes of sale;

(11) "Nonrefillable beverage container" means a beverage container which is not designed to be refilled and reused in its original shape; [and]

(12) "Deposit initiator" means the first distributor to collect the deposit on a beverage container sold to any person within this state; and

(13) "Reverse vending machine" means a mechanical device that accepts used beverage containers from consumers and provides a means of refunding the refund value for such beverage container to the user of such device.

Sec. 2. Section 22a-244 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective January 1, 2024*):

(a) (1) Every beverage container containing a carbonated beverage sold or offered for sale in this state, except for any such beverage containers sold or offered for sale for consumption on an interstate passenger carrier, shall have a refund value. Such refund value shall not be less than [five] ten cents and shall be a uniform amount throughout the distribution process in this state. (2) Every beverage container containing a noncarbonated beverage sold or offered for sale in this state shall have a refund value, except for beverage containers containing a noncarbonated beverage that are (A) sold or offered for sale for consumption on an interstate passenger carrier, or (B) that comprise any dealer's existing inventory as of March 31, 2009. Such refund value shall not be less than [five] ten cents and shall be a uniform amount throughout the distribution process in this state.

(b) Every beverage container sold or offered for sale in this state, that has a refund value pursuant to subsection (a) of this section, shall clearly indicate by embossing or by a stamp or by a label or other method

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securely affixed to the beverage container (1) either the refund value of the container or the words "return for deposit" or "return for refund" or other words as approved by the Department of Energy and Environmental Protection, and (2) either the word "Connecticut" or the abbreviation "Ct.", provided this subdivision shall not apply to glass beverage containers permanently marked or embossed with a brand name.

(c) No person shall sell or offer for sale in this state any metal beverage container (1) a part of which is designed to be detached in order to open such container, or (2) that is connected to another beverage container by a device constructed of a material which does not decompose by photodegradation, chemical degradation or biodegradation within a reasonable time after exposure to the elements.

(d) On and after January 1, 2024, each beverage container sold or offered for sale in this state that has a refund value pursuant to subsection (a) of this section, shall include a Universal Product Code and barcode. Each deposit initiator shall provide such Universal Product Code and barcode, with packaging information, to the reverse vending machine system administrators and other system operators, not less than thirty days prior to placement of any such beverage container on the market.

Sec. 3. Section 22a-245 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2021*):

(a) No person shall establish a redemption center without registering with the commissioner on a form provided by the commissioner with such information as the commissioner deems necessary including (1) the name of the business principals of the redemption center and the address of the business; (2) the name and address of the sponsors and dealers to be served by the redemption center; (3) the types of beverage containers to be accepted; (4) the hours of operation; and (5) whether

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beverage containers will be accepted from consumers. The operator of the redemption center shall report any change in procedure to the commissioner within forty-eight hours of such change. Any person establishing a redemption center shall have the right to determine what kind, size and brand of beverage container shall be accepted. Any redemption center may be established to serve all persons or to serve certain specified dealers.

(b) A dealer shall not refuse to accept at such dealer's place of business, from any person any empty beverage containers of the kind, size and brand sold by the dealer, or refuse to pay to such person the refund value of a beverage container unless (1) such container contains materials which are foreign to the normal contents of the container; (2) such container is not labeled in accordance with subsection (b) of section 22a-244, as amended by this act; (3) such dealer sponsors, solely or with others, a redemption center which is located within a one-mile radius of such place of business and which accepts beverage containers of the kind, size and brand sold by such dealer at such place of business; or (4) there is established by others, a redemption center which is located within a one-mile radius of such place of business and which accepts beverage containers of the kind, size and brand sold by such dealer at such place of business. A dealer shall redeem an empty container of a kind, size or brand the sale of which has been discontinued by such dealer for not less than sixty days after the last sale by the dealer of such kind, size or brand of beverage container. Sixty days before such date, the dealer shall post, at the point of sale, notice of the last date on which the discontinued kind, size or brand of beverage container shall be redeemed.

(c) A distributor shall not refuse to accept from a dealer or from an operator of a redemption center, located and operated exclusively within the territory of the distributor or whose operator certifies to the distributor that redeemed containers were from a dealer located within

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such territory, any empty beverage containers of the kind, size and brand sold by the distributor, or refuse to pay to such dealer or redemption center operator the refund value of a beverage container unless such container contains materials which are foreign to the normal contents of the container or unless such container is not labeled in accordance with subsection (b) of section 22a-244, as amended by this act. A distributor shall remove any empty beverage container from the premises of a dealer serviced by the distributor or from the premises of a redemption center sponsored by dealers serviced by the distributor, provided such premises are located within the territory of the distributor. The distributor shall pay the refund value to dealers in accordance with the schedule for payment by the dealer to the distributor for full beverage containers and shall pay such refund value to operators of redemption centers not more than twenty days after receipt of the empty container. For the purposes of this subsection, a redemption center shall be considered to be sponsored by a dealer if (1) the dealer refuses to redeem beverage containers and refers consumers to the redemption center, or (2) there is an agreement between the dealer and the operator of the redemption center requiring the redemption center to remove empty beverage containers from the premises of the dealer. A distributor shall redeem an empty container of a kind, size or brand of beverage container the sale of which has been discontinued by the distributor for not less than one hundred fifty days after the last delivery of such kind, size or brand of beverage container. Not less than one hundred twenty days before the last date such containers may be redeemed, the distributor shall notify such dealer who bought the discontinued kind, size or brand of beverage container that such distributor shall not redeem an empty beverage container of such kind, size or brand of beverage containers.

(d) In addition to the refund value of a beverage container, a distributor shall pay to any dealer or operator of a redemption center a handling fee of at least [one] two and one-half cents for each container

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of beer, hard seltzer, hard cider or other malt beverage and [two] three and one-half cents for each beverage container of mineral waters, soda water and similar carbonated soft drinks or noncarbonated beverage returned for redemption. A distributor shall not be required to pay to a manufacturer the refund value of a nonrefillable beverage container.

(e) The Commissioner of Energy and Environmental Protection shall adopt regulations, in accordance with the provisions of chapter 54, to implement the provisions of sections 22a-243 to 22a-245, inclusive, as amended by this act. Such regulations shall include, but not be limited to, provisions for the redemption of beverage containers dispensed through automatic reverse vending machines, the use of vending machines that [dispense cash to] reimburse consumers for the redemption value of beverage containers, scheduling for redemption by dealers and distributors and for exemptions or modifications to the labeling requirement of section 22a-244, as amended by this act.

(f) For the purposes of this section, "refund value" means the refund value established by subsection (a) of section 22a-244, as amended by this act.

Sec. 4. Section 22a-245a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2021*):

(a) Each deposit initiator shall open a special interest-bearing account at a Connecticut branch of a financial institution, as defined in section 45a-557a, to the credit of the deposit initiator. Each deposit initiator shall deposit in such account an amount equal to the refund value established pursuant to subsection (a) of section 22a-244, as amended by this act, for each beverage container sold by such deposit initiator. Such deposit shall be made not more than one month after the date such beverage container is sold, provided for any beverage container sold during the period from December 1, 2008, to December 31, 2008, inclusive, such deposit shall be made not later than January 5, 2009. All interest,

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dividends and returns earned on the special account shall be paid directly into such account. Such moneys shall be kept separate and apart from all other moneys in the possession of the deposit initiator. The amount required to be deposited pursuant to this section, when deposited, shall be held to be a special fund in trust for the state.

(b) (1) Any reimbursement of the refund value for a redeemed beverage container shall be paid from the deposit initiator's special account, with such payment to be computed, subject to the provisions of subdivision (2) of this subsection, under the cash receipts and disbursements method of accounting, as described in Section 446(c)(1) of the Internal Revenue Code of 1986, or any subsequent corresponding Internal Revenue Code of the United States, as amended from time to time.

(2) A deposit initiator may petition the Commissioner of Revenue Services for an alternate method of accounting by filing with such deposit initiator's return a statement of objections and other proposed alternate method of accounting, as such deposit initiator believes proper and equitable under the circumstances, that is accompanied by supporting details and proof. The Commissioner of Revenue Services shall promptly notify such deposit initiator whether the proposed alternate method is accepted as reasonable and equitable and, if so accepted, shall adjust such deposit initiator's return and payment of reimbursement accordingly.

(c) (1) Each deposit initiator shall submit a report on March 15, 2009, for the period from December 1, 2008, to February 28, 2009, inclusive. Each deposit initiator shall submit a report on July 31, 2009, for the period from March 1, 2009, to June 30, 2009, inclusive, and thereafter shall submit a quarterly report for the immediately preceding calendar quarter one month after the close of such quarter. Each such report shall be submitted to the Commissioner of Energy and Environmental Protection, on a form prescribed by the commissioner and with such

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information as the commissioner deems necessary, including, but not limited to: (A) The balance in the special account at the beginning of the quarter for which the report is prepared; (B) a list of all deposits credited to such account during such quarter, including all refund values paid to the deposit initiator and all interest, dividends or returns received on the account; (C) a list of all withdrawals from such account during such quarter, all service charges and overdraft charges on the account and all payments made pursuant to subsection (d) of this section; and (D) the balance in the account at the close of the quarter for which the report is prepared.

(2) Each deposit initiator shall submit a report on October 31, 2010, for the calendar quarter beginning July 1, 2010. Subsequently, each deposit initiator shall submit a quarterly report for the immediately preceding calendar quarter, on or before the last day of the month next succeeding the close of such quarter. Each such report shall be submitted to the Commissioner of Revenue Services, on a form prescribed by the Commissioner of Revenue Services, and with such information as the Commissioner of Revenue Services deems necessary, including, but not limited to, the following information: (A) The balance in the special account at the beginning of the quarter for which the report is prepared, (B) all deposits credited to such account during such quarter, including all refund values paid to the deposit initiator and all interest, dividends or returns received on such account, (C) all withdrawals from such account during such quarter, including all service charges and overdraft charges on such account and all payments made pursuant to subsection (d) of this section, and (D) the balance in such account at the close of the quarter for which the report is prepared. Such quarterly report shall be filed electronically with the Commissioner of Revenue Services, in the manner provided by chapter 228g.

(d) (1) On or before April 30, 2009, each deposit initiator shall pay the

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balance outstanding in the special account that is attributable to the period from December 1, 2008, to March 31, 2009, inclusive, to the Commissioner of Energy and Environmental Protection for deposit in the General Fund. Thereafter, the balance outstanding in the special account that is attributable to the immediately preceding calendar quarter shall be paid by the deposit initiator one month after the close of such quarter to the Commissioner of Energy and Environmental Protection for deposit in the General Fund. If the amount of the required payment pursuant to this subdivision is not paid by the date seven days after the due date, a penalty of ten per cent of the amount due shall be added to the amount due. The amount due shall bear interest at the rate of one and one-half per cent per month or fraction thereof, from the due date. Any such penalty or interest shall not be paid from funds maintained in the special account.

(2) On or before October 31, 2010, each deposit initiator shall pay the balance outstanding in the special account that is attributable to the period from July 1, 2010, to September 30, 2010, inclusive, to the Commissioner of Revenue Services for deposit in the General Fund. Subsequently, for the fiscal year ending June 30, 2023, ninety-five per cent of the balance outstanding in the special account that is attributable to the immediately preceding calendar quarter shall be paid by the deposit initiator on or before the last day of the month next succeeding the close of such quarter to the Commissioner of Revenue Services for deposit in the General Fund, for the fiscal year ending June 30, 2024, sixty-five per cent of the balance outstanding in the special account that is attributable to the immediately preceding calendar quarter shall be paid by the deposit initiator on or before the last day of the month next succeeding the close of such quarter to the Commissioner of Revenue Services for deposit in the General Fund, for the fiscal year ending June 30, 2025, fifty-five per cent of the balance outstanding in the special account that is attributable to the immediately preceding calendar quarter shall be paid by the deposit initiator on or before the last day of

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the month next succeeding the close of such quarter to the Commissioner of Revenue Services for deposit in the General Fund and for the fiscal year ending June 30, 2026, and each subsequent fiscal year thereafter, forty-five per cent of the balance outstanding in the special account that is attributable to the immediately preceding calendar quarter shall be paid by the deposit initiator on or before the last day of the month next succeeding the close of such quarter to the Commissioner of Revenue Services for deposit in the General Fund. If the amount of the required payment pursuant to this subdivision is not paid on or before the due date, a penalty of ten per cent of the amount due and unpaid, or fifty dollars, whichever is greater, shall be imposed. The amount due and unpaid shall bear interest at the rate of one per cent per month or fraction thereof, from the due date. Any such penalty or interest shall not be paid from funds maintained in such special account. Such required payment shall be made by electronic funds transfer to the Commissioner of Revenue Services, in the manner provided by chapter 228g.

(e) If moneys deposited in the special account are insufficient to pay for withdrawals authorized pursuant to subsection (b) of this section, the amount of such deficiency shall be subtracted from the next succeeding payment or payments due pursuant to subsection (d) of this section until the amount of the deficiency has been subtracted in full.

(f) The Commissioner of Revenue Services may examine the accounts and records of any deposit initiator maintained under this section or sections 22a-243 to 22a-245, inclusive, as amended by this act, and any related accounts and records, including receipts, disbursements and such other items as the Commissioner of Revenue Services deems appropriate.

(g) The Attorney General may, independently or upon complaint of the Commissioner of Energy and Environmental Protection or the Commissioner of Revenue Services, institute any appropriate action or

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proceeding to enforce any provision of this section or any regulation adopted pursuant to section 22a-245, as amended by this act, to implement the provisions of this section.

(h) The provisions of sections 12-548, 12-550 to 12-554, inclusive, and 12-555a shall be deemed to apply to the provisions of this section, except any provision of sections 12-548, 12-550 to 12-554, inclusive, and 12-555a that is inconsistent with the provision in this section.

(i) Any payment required pursuant to this section shall be treated as a tax for purposes of sections 12-30b, 12-33a, 12-35a, 12-39g and 12-39h.

(j) Not later than July 1, 2010, the Department of Energy and Environmental Protection or successor agency shall establish a procedure that allows each such deposit initiator to take a credit against any payment made pursuant to subsection (d) of this section in the amount of the deposits refunded on beverage containers which such deposit initiator donated for any charitable purpose.

Sec. 5. Section 22a-245b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2021*):

Any manufacturer who bottles and sells: [two] (1) Two hundred fifty thousand or fewer beverage containers containing a noncarbonated beverage that are twenty ounces or less in size each calendar year, or (2) one hundred thousand gallons or less of juice in beverage containers each calendar year, may apply to the Commissioner of Energy and Environmental Protection for an exemption from the requirements of sections 22a-244 to 22a-245a, inclusive, as amended by this act, with regard to such beverage containers containing noncarbonated beverages or with regard to such one hundred thousand gallons or less of juice in beverage containers. Such application shall be accompanied by a sworn affidavit signed by such manufacturer or such manufacturer's authorized agent certifying such manufacturer bottles

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and sells two hundred fifty thousand or fewer of such beverage containers per calendar year or bottles and sells one hundred thousand gallons or less of juice in beverage containers per calendar year. Any such application filed on or before April 1, 2009, shall be deemed automatically approved and such exemption shall remain valid until December 31, 2009. Not later than November 1, 2009, and each year thereafter, each such manufacturer or such manufacturer's authorized agent may apply to the commissioner for an exemption in accordance with this section on a form prescribed by the commissioner. The commissioner shall approve each such application not later than thirty days after the receipt of the application by the commissioner, provided the applicant satisfies the requirements of this section.

Sec. 6. (NEW) (*Effective July 1, 2021*) Not later than July 1, 2022, the Commissioner of Energy and Environmental Protection shall develop an incentive program to assist municipalities that wish to adopt a unit-based pricing program for solid waste disposal in such municipality. The commissioner shall identify funding sources to be utilized in providing such incentives to municipalities.

Sec. 7. (NEW) (*Effective October 1, 2021*) (a) On and after October 1, 2021, any dealer, as defined in section 22a-243 of the general statutes, as amended by this act, whose place of business is part of a chain engaged in the same general field of business that operates ten or more units in this state under common ownership and whose business has not less than seven thousand square feet devoted to the display of merchandise for sale to the public shall install and maintain not less than two reverse vending machines, as defined in section 22a-243 of the general statutes, as amended by this act, at such dealer's place of business.

(b) The requirements of subsection (a) of this section to install and maintain reverse vending machines shall not apply to any dealer that: (1) Sells only beverage containers, as defined in section 22a-243 of the general statutes, as amended by this act, of twenty ounces or less where

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such beverage containers are packaged in quantities fewer than six; (2) sells beverage containers and devotes no more than five per cent of the dealer's floor space to the display and sale of consumer products; or (3) obtains a waiver from the Commissioner of Energy and Environmental Protection authorizing dealers to provide consumers with an alternative technology that: (A) Determines if the beverage container is redeemable, (B) provides protections against fraud through a system that validates each beverage container redeemed by reading the universal product code and, except with respect to refillable containers, renders the beverage container unredeemable, (C) accumulates information regarding beverage containers redeemed, and (D) issues legal tender, or a scrip, receipt or other form of credit for the refund value, that can be exchanged for legal tender for a period of not less than sixty days without requiring the purchase of other goods. If such alternative technology does not allow consumers to immediately obtain the refund value of the redeemed beverage container, a dealer shall be permitted to deploy such alternative technology only if such dealer also offers an alternative that allows consumers to conveniently and immediately obtain such refund value through a reverse vending machine or other alternative method.

(c) For any dealer exempt from the provisions of subsection (a) of this section and whose place of business is not less than forty thousand square feet but does not utilize reverse vending machines to process empty beverage containers for redemption shall: (1) Establish and maintain a dedicated area within such business to accept beverage containers for redemption; (2) adequately staff such area to facilitate efficient acceptance and processing of such containers during business hours; and (3) post one or more conspicuous signs at each public entrance to the business that describes where in the business the redemption area is located.

(d) Any dealer who violates the provisions of this section shall be

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fined not more than one thousand dollars, and an additional civil penalty of not more than one thousand dollars for each day during which each such violation continues. Any such civil penalty may be assessed by the Commissioner of Energy and Environmental Protection following a hearing held in accordance with chapter 54 of the general statutes.

Sec. 8. (NEW) (*Effective from passage*) The Department of Energy and Environmental Protection shall develop the terms for a memorandum of agreement that provides, by January 1, 2023, for the in-state processing of not less than eighty per cent of the wine and liquor beverage containers sold in this state into furnace-ready cullet or by-product that is melted or otherwise used in cement, glass or fiberglass products. In developing such terms, the department shall identify the requisite parties to such an agreement and engage such parties in ongoing discussions concerning the establishment of systems and methods, pursuant to such an agreement, for the cost-effective and consumer-oriented state-wide collection of such containers that will yield sufficiently clean and acceptable containers for the owner or operator of any such facility to be used in producing such cullet or by-product. Such memorandum of agreement shall include, but not be limited to, provisions that delineate and assign responsibility among the parties for: (1) Establishing and implementing such collection systems and methods, (2) transporting collected containers to any such facility, (3) properly recycling and managing any containers not accepted by any such facility, (4) executing any financial obligations among the parties pursuant to such agreement, (5) recordkeeping of volume, tonnage and categories of containers processed, annually, pursuant to such agreement, and (6) auditing costs, efficiencies and benefits of such agreement. Not later than January 15, 2022, the Commissioner of Energy and Environmental Protection shall submit a draft of such memorandum of agreement to the joint standing committee of the General Assembly having cognizance of matters relating to the

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environment.

Sec. 9. (NEW) (*Effective from passage*) (a) The Commissioner of Energy and Environmental Protection shall approve the formation of a beverage container stewardship organization constituted by deposit initiators if such organization submits an application to the commissioner that demonstrates such organization meets the following criteria: (1) The organization is established and operated as an organization described in section 501(c)(3) of the Internal Revenue Code of 1986, as amended from time to time, and is exempt from taxation under said section, (2) the governing board of such organization consists of deposit initiators that represent the range of beverages and beverage container materials subject to the state's beverage container redemption program, and (3) such organization demonstrates that it has adequate financial responsibility and financial controls in place, including fraud prevention measures and an audit schedule, to ensure proper management of funds.

(b) All deposit initiators shall register with and join any beverage container stewardship organization approved pursuant to subsection (a) of this section not later than three months after such organization's approval by the commissioner. Any deposit initiator that wishes to initiate the sale of beverage containers in the state after such three-month period elapses shall register and join such organization not less than ninety days prior to selling beverage containers in the state.

(c) On or before July 1, 2022, any organization approved pursuant to subsection (a) of this section shall submit a plan, for the commissioner's review and approval, to operate a state-wide beverage container stewardship program, as described in this subsection. In developing any such plan, such organization shall obtain input from members of the independent redemption centers community, municipal resource recovery facilities, municipal leaders, wine and spirits distributors and reverse vending machine operators. Such plan shall demonstrate, in

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detail, how such organization will operate and finance a program to provide for the redemption and recycling of beverage containers in the state, including, but not limited to: (1) Achieving and exceeding an annual redemption rate of eighty per cent by a specified timeline, (2) achieving financial self-sustainability, (3) achieving verifiable performance metrics for enhanced customer satisfaction with the beverage container redemption system, (4) adopting policies and making investments to ensure that recovered materials are returned to their highest and best use, (5) providing a detailed description of how existing collection and redemption centers throughout the state are to be utilized as part of such beverage container stewardship program, (6) disclosing applicable rates of redemption as of the time of such plan and those projected over the next five years under the proposed beverage container stewardship program and the recommended refund value for such containers that is necessary to achieve such redemption rates, (7) identifying how the plan will yield costs to the state or any participant of said program, (8) specifying revenues that escheat to the state pursuant to said beverage container stewardship program and any projected diminishment in the state's use or collection of such revenues in the next five fiscal years beginning July 1, 2022, (9) identifying any legislative changes necessary to carry out such plan, and (10) any other parameters or requirements specified by the commissioner. The commissioner shall not approve any such plan without verification that such organization obtained input from members of the independent redemption centers community, municipal resource recovery facilities, municipal leaders, wine and spirits distributors and reverse vending machine operators.

(d) Not later than October 1, 2022, the Commissioner of Energy and Environmental Protection shall submit recommendations to the joint standing committee of the General Assembly having cognizance of matters relating to the environment concerning any plan submitted pursuant to subsection (c) of this section.

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Sec. 10. (NEW) (*Effective October 1, 2021*) (a) Notwithstanding any provision of the general statutes, on and after October 1, 2021, any beverage container containing a spirit or liquor of fifty milliliters or less shall be assessed a five-cent surcharge by the wholesaler of such beverage container to the retailer of such beverage container and by the retailer of such beverage container to the consumer of such beverage container. Any surcharge transaction described in this section shall be distinct and clearly identify the surcharge from the price of such beverage container and shall not be subject to any sales tax or treated as income pursuant to any provision of the general statutes.

(b) The payment of said surcharge by a retailer shall be a debt of a retailer upon purchase from any such wholesaler and shall be subject to all posting requirements in the event of delinquency.

(c) On April 1, 2022, and every six months thereafter, payment shall be remitted by each wholesaler to every municipality where any such beverage container was sold during the preceding six-month period by such wholesaler. Such payment shall be at the rate of five cents for every such beverage container sold within such municipality by such wholesaler. Concomitant with any payment made by a wholesaler to a municipality pursuant to this subsection, such wholesaler shall file a report with the Department of Revenue Services and the Department of Consumer Protection's Liquor Control Division, detailing the number of such beverage containers sold in each municipality by such wholesaler in the preceding six-month period.

(d) All payments received by any municipality pursuant to the provisions of subsection (c) of this section shall be expended by such municipality on environmental measures intended to reduce the generation of solid waste in such municipality or reduce the impact of litter caused by such solid waste, including, but not limited to, the hiring of a recycling coordinator, the installation of storm drain filters designed to block solid waste and beverage container debris or the purchase of a

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mechanical street sweeper, vacuum or broom that removes litter, including, but not limited to, such beverage containers and other debris from streets, sidewalks and abutting lawn and turf areas.

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