

**SENATE . . . . . No. 1535**

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**The Commonwealth of Massachusetts**

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**In the Year Two Thousand Nine**  
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An Act Relative to Reusable Beverage Containers ..

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 SECTION 1. Section 323 of Chapter 94 of the General Laws, as appearing in the 2006  
2 Official Edition, is hereby amended by striking out in line 36 the words “one cent” and inserting  
3 in place thereof the following:- 3 ¼ cents.

4 SECTION 2. Subsection (e) of said section 323 of said Chapter 94, as so appearing is  
5 hereby amended by adding the following sentence. The commissioner shall review the handling  
6 fee every 5 years and may make changes based on the consumer price index.

7 SECTION 3. Said section 323 of said Chapter 94, as so appearing hereby amended by  
8 adding the following 2 subsections:-

9 (J) Stores may opt out of the obligation to accept returns upon the permission of the  
10 commissioner. Only stores of less than 5,000 square feet shall be eligible for this exemption.

11 (K) Distributors shall pick up containers from redemption centers and stores free of  
12 charge.