

**HOUSE . . . . . No. 3289**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

***Marjorie C. Decker***

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

**An Act to expand the bottle bill.**

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Marjorie C. Decker</i>	<i>25th Middlesex</i>	<i>2/19/2021</i>
<i>Michelle L. Ciccolo</i>	<i>15th Middlesex</i>	<i>2/19/2021</i>
<i>Jack Patrick Lewis</i>	<i>7th Middlesex</i>	<i>2/19/2021</i>
<i>David Henry Argosky LeBoeuf</i>	<i>17th Worcester</i>	<i>2/22/2021</i>
<i>Patrick Joseph Kearney</i>	<i>4th Plymouth</i>	<i>2/22/2021</i>
<i>Lori A. Ehrlich</i>	<i>8th Essex</i>	<i>2/24/2021</i>
<i>Natalie M. Blais</i>	<i>1st Franklin</i>	<i>2/25/2021</i>
<i>Jason M. Lewis</i>	<i>Fifth Middlesex</i>	<i>2/25/2021</i>
<i>Jessica Ann Giannino</i>	<i>16th Suffolk</i>	<i>2/25/2021</i>
<i>Steven C. Owens</i>	<i>29th Middlesex</i>	<i>2/25/2021</i>
<i>Sally P. Kerans</i>	<i>13th Essex</i>	<i>2/26/2021</i>
<i>David M. Rogers</i>	<i>24th Middlesex</i>	<i>2/26/2021</i>
<i>David Allen Robertson</i>	<i>19th Middlesex</i>	<i>2/26/2021</i>
<i>Nika C. Elugardo</i>	<i>15th Suffolk</i>	<i>2/26/2021</i>
<i>Daniel J. Ryan</i>	<i>2nd Suffolk</i>	<i>3/10/2021</i>
<i>Carmine Lawrence Gentile</i>	<i>13th Middlesex</i>	<i>3/14/2021</i>
<i>Adrian C. Madaro</i>	<i>1st Suffolk</i>	<i>3/16/2021</i>
<i>Lindsay N. Sabadosa</i>	<i>1st Hampshire</i>	<i>3/16/2021</i>

<i>Ruth B. Balsler</i>	<i>12th Middlesex</i>	<i>3/16/2021</i>
<i>Mindy Domb</i>	<i>3rd Hampshire</i>	<i>3/18/2021</i>
<i>Sean Garballey</i>	<i>23rd Middlesex</i>	<i>3/30/2021</i>
<i>Tram T. Nguyen</i>	<i>18th Essex</i>	<i>4/6/2021</i>
<i>Thomas M. Stanley</i>	<i>9th Middlesex</i>	<i>4/8/2021</i>
<i>Kip A. Diggs</i>	<i>2nd Barnstable</i>	<i>4/13/2021</i>
<i>Tommy Vitolo</i>	<i>15th Norfolk</i>	<i>4/14/2021</i>
<i>Mike Connolly</i>	<i>26th Middlesex</i>	<i>4/14/2021</i>
<i>Christopher Hendricks</i>	<i>11th Bristol</i>	<i>4/14/2021</i>
<i>Andres X. Vargas</i>	<i>3rd Essex</i>	<i>4/16/2021</i>
<i>Smitty Pignatelli</i>	<i>4th Berkshire</i>	<i>4/16/2021</i>
<i>Paul F. Tucker</i>	<i>7th Essex</i>	<i>4/16/2021</i>
<i>Mathew J. Muratore</i>	<i>1st Plymouth</i>	<i>4/20/2021</i>
<i>Tricia Farley-Bouvier</i>	<i>3rd Berkshire</i>	<i>4/22/2021</i>
<i>Carol A. Doherty</i>	<i>3rd Bristol</i>	<i>4/24/2021</i>
<i>Kate Lipper-Garabedian</i>	<i>32nd Middlesex</i>	<i>4/26/2021</i>
<i>Tami L. Gouveia</i>	<i>14th Middlesex</i>	<i>5/10/2021</i>
<i>Natalie M. Higgins</i>	<i>4th Worcester</i>	<i>5/10/2021</i>
<i>Danillo A. Sena</i>	<i>37th Middlesex</i>	<i>5/17/2021</i>
<i>Michelle M. DuBois</i>	<i>10th Plymouth</i>	<i>5/18/2021</i>
<i>Sal N. DiDomenico</i>	<i>Middlesex and Suffolk</i>	<i>5/18/2021</i>
<i>Kathleen R. LaNatra</i>	<i>12th Plymouth</i>	<i>7/20/2021</i>
<i>Michael P. Kushmerek</i>	<i>3rd Worcester</i>	<i>7/21/2021</i>
<i>Marcos A. Devers</i>	<i>16th Essex</i>	<i>8/3/2021</i>
<i>Rebecca L. Rausch</i>	<i>Norfolk, Bristol and Middlesex</i>	<i>9/22/2021</i>
<i>Erika Uyterhoeven</i>	<i>27th Middlesex</i>	<i>9/23/2021</i>
<i>Vanna Howard</i>	<i>17th Middlesex</i>	<i>9/28/2021</i>
<i>Edward R. Philips</i>	<i>8th Norfolk</i>	<i>9/28/2021</i>
<i>Christina A. Minicucci</i>	<i>14th Essex</i>	<i>10/6/2021</i>
<i>Dylan A. Fernandes</i>	<i>Barnstable, Dukes and Nantucket</i>	<i>10/27/2021</i>
<i>Julian Cyr</i>	<i>Cape and Islands</i>	<i>10/28/2021</i>
<i>James K. Hawkins</i>	<i>2nd Bristol</i>	<i>11/5/2021</i>
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>	<i>11/19/2021</i>
<i>Christine P. Barber</i>	<i>34th Middlesex</i>	<i>12/6/2021</i>
<i>Steven G. Xiarhos</i>	<i>5th Barnstable</i>	<i>12/15/2021</i>
<i>David Paul Linsky</i>	<i>5th Middlesex</i>	<i>12/16/2021</i>
<i>Kay Khan</i>	<i>11th Middlesex</i>	<i>12/21/2021</i>
<i>Mary S. Keefe</i>	<i>15th Worcester</i>	<i>12/22/2021</i>
<i>Jacob R. Oliveira</i>	<i>7th Hampden</i>	<i>1/3/2022</i>

<i>Jon Santiago</i>	<i>9th Suffolk</i>	<i>1/13/2022</i>
<i>Walter F. Timilty</i>	<i>Norfolk, Bristol and Plymouth</i>	<i>1/20/2022</i>
<i>William J. Driscoll, Jr.</i>	<i>7th Norfolk</i>	<i>1/27/2022</i>
<i>Brian W. Murray</i>	<i>10th Worcester</i>	<i>1/27/2022</i>
<i>James Arciero</i>	<i>2nd Middlesex</i>	<i>3/15/2022</i>
<i>Steven Ultrino</i>	<i>33rd Middlesex</i>	<i>3/18/2022</i>
<i>Jamie Zahlaway Belsito</i>	<i>4th Essex</i>	<i>3/28/2022</i>

**HOUSE . . . . . No. 3289**

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By Ms. Decker of Cambridge, a petition (accompanied by bill, House, No. 3289) of Marjorie C. Decker and others for legislation to expand the bottle bill to include any drinkable liquid intended for human oral consumption. Telecommunications, Utilities and Energy.

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**The Commonwealth of Massachusetts**

\_\_\_\_\_  
**In the One Hundred and Ninety-Second General Court  
(2021-2022)**  
\_\_\_\_\_

An Act to expand the bottle bill.

*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. Chapter 94 of the General Laws, as appearing in the 2018 Official Edition,  
2 is hereby amended in section 321 by striking the definitions of Beverage and Beverage  
3 Container, inclusive, and inserting in place thereof the following definitions:-

4           "Beverage", any drinkable liquid intended for human oral consumption. This definition  
5 shall not include nutritive drinks including milk (as defined in FDA 21 CFR 131.110), milk  
6 substitutes, non-alcoholic fermented drinks and/or non-carbonated fruit juice made by producers  
7 who sell less than 100,000 units a year, any drug regulated under the Federal Food, Drug, and  
8 Cosmetic Act (21 U.S.C. 301 et seq.), infant formula, or a meal replacement liquid.

9           "“Beverage Container”", any prepackaged container made of any material, including glass,  
10 plastic, metal, or multi-material, the volume of which is not more than 102 ounces. This  
11 definition shall not include beverage container packaging that is a carton, a pouch, or aseptic  
12 packaging.

13 SECTION 2. Chapter 94 of the General Laws, as appearing in the 2018 Official Edition,  
14 is hereby amended in section 322 by striking out the word “five” and inserting in place thereof  
15 the word “ten”.

16 SECTION 3. Chapter 94 of the General Laws, as appearing in the 2018 Official Edition,  
17 is hereby amended in section 323, in paragraph (b), by inserting after “returned.” the following  
18 sentence:- “A redemption center or reverse vending machine is not obligated to count containers  
19 or to pay a cash refund at the time the beverage container is returned as long as the amount of the  
20 refund value due is placed into an account to be held for the benefit of the consumer and funded  
21 in a manner that allows the consumer to obtain deposits due within 2 business days of the time of  
22 the return.”

23 SECTION 4. Chapter 94 of the General Laws, as appearing in the 2018 Official Edition,  
24 is hereby amended in section 325, paragraph (b), by striking out the word “five” and inserting in  
25 place thereof the word “ten”.

26 SECTION 5. Chapter 94 of the General Laws, as appearing in the 2018 Official Edition,  
27 is hereby amended in section 326, in the first paragraph, by inserting after “sections” the  
28 following:- “and shall review handling fees within one year of the effective date of this act, and  
29 every four years thereafter.”

30 SECTION 6. This Act shall take effect on December 31, 2021.