

**SENATE . . . . . No. 2149**

**The Commonwealth of Massachusetts**

PRESENTED BY:

***Cynthia Stone Creem***

*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:	
<i>Cynthia Stone Creem</i>	<i>First Middlesex and Norfolk</i>	
<i>Joanne M. Comerford</i>	<i>Hampshire, Franklin and Worcester</i>	<i>3/2/2021</i>
<i>David Allen Robertson</i>	<i>19th Middlesex</i>	<i>3/2/2021</i>
<i>Michelle L. Ciccolo</i>	<i>15th Middlesex</i>	<i>3/2/2021</i>
<i>Christopher Hendricks</i>	<i>11th Bristol</i>	<i>4/26/2021</i>
<i>Brendan P. Crighton</i>	<i>Third Essex</i>	<i>4/26/2021</i>
<i>Carol A. Doherty</i>	<i>3rd Bristol</i>	<i>4/26/2021</i>
<i>Alice Hanlon Peisch</i>	<i>14th Norfolk</i>	<i>4/29/2021</i>
<i>Susan L. Moran</i>	<i>Plymouth and Barnstable</i>	<i>5/10/2021</i>
<i>Sal N. DiDomenico</i>	<i>Middlesex and Suffolk</i>	<i>5/24/2021</i>
<i>Jason M. Lewis</i>	<i>Fifth Middlesex</i>	<i>7/29/2021</i>
<i>Rebecca L. Rausch</i>	<i>Norfolk, Bristol and Middlesex</i>	<i>9/28/2021</i>
<i>Patricia D. Jehlen</i>	<i>Second Middlesex</i>	<i>9/28/2021</i>
<i>Adam G. Hinds</i>	<i>Berkshire, Hampshire, Franklin and Hampden</i>	<i>10/27/2021</i>
<i>Julian Cyr</i>	<i>Cape and Islands</i>	<i>11/4/2021</i>
<i>John J. Cronin</i>	<i>Worcester and Middlesex</i>	<i>11/4/2021</i>
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>	<i>11/30/2021</i>

*Harriette L. Chandler*

*First Worcester*

*11/30/2021*

**SENATE . . . . . No. 2149**

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By Ms. Creem, a petition (accompanied by bill, Senate, No. 2149) of Cynthia Stone Creem, Joanne M. Comerford, David Allen Robertson and Michelle L. Ciccolo for legislation to expand the Bottle Bill. 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.