

1 State of Arkansas  
2 92nd General Assembly  
3 Regular Session, 2019  
4

# A Bill

HOUSE BILL 1771

5 By: Representative V. Flowers  
6

## For An Act To Be Entitled

8 AN ACT TO ESTABLISH THE ARKANSAS LITTER REDUCTION AND  
9 DEPOSIT BEVERAGE CONTAINER RECYCLING ACT; TO REQUIRE  
10 THE LABELING OF DEPOSIT BEVERAGE CONTAINERS SOLD IN  
11 ARKANSAS; TO ESTABLISH THE DEPOSIT BEVERAGE CONTAINER  
12 RECYCLING PROGRAM; AND FOR OTHER PURPOSES.  
13  
14

## Subtitle

15 TO ESTABLISH THE ARKANSAS LITTER  
16 REDUCTION AND DEPOSIT BEVERAGE CONTAINER  
17 RECYCLING ACT; TO REQUIRE THE LABELING OF  
18 DEPOSIT BEVERAGE CONTAINERS SOLD IN  
19 ARKANSAS; TO ESTABLISH THE DEPOSIT  
20 BEVERAGE CONTAINER RECYCLING PROGRAM.  
21  
22  
23

24 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
25

26 SECTION 1. Arkansas Code Title 8, Chapter 9, is amended to add an  
27 additional subchapter to read as follows:

28 Subchapter 7 – Arkansas Litter Reduction and Deposit Beverage Container  
29 Recycling Act  
30

31 8-9-701. Title.

32 This subchapter shall be known and may be cited as the “Arkansas Litter  
33 Reduction and Deposit Beverage Container Recycling Act”.  
34

35 8-9-702. Definitions.

36 As used in this subchapter:



1           (1) "Administrative allowance" means an amount paid by the  
2 Office of Sustainable Materials under § 8-9-721 to a certified redemption  
3 center to defray the certified redemption center's costs of complying with  
4 the administrative requirements of the deposit beverage container recycling  
5 program;

6           (2) "Cancel" means to crush, flatten, shred, or otherwise render  
7 a deposit beverage container unfit for redemption;

8           (3) "Certified collector" means a transportation company that  
9 has been certified by the office to collect and transport materials from each  
10 certified redemption center and certified redemption center depot to a  
11 certified processor;

12           (4) "Certified processor" means a facility, including without  
13 limitation a scrap yard, manufacturer, material recovery facility, or similar  
14 entity that is designed for the collection, processing, and sale or reuse of  
15 secondary resources that would otherwise be disposed of as county or  
16 municipal solid waste and that has been certified by the office to receive,  
17 purchase, quantify, process, document, cancel, and reuse, or sell for reuse,  
18 deposit beverage containers that have been redeemed by a certified redemption  
19 center or certified redemption center depot;

20           (5) "Certified redemption center" means an entity that:

21           (A) Has an operation, including without limitation an  
22 attended operation, automated operation, or mechanical device, that has been  
23 certified by the Office of Sustainable Materials:

24           (i) To accept empty deposit beverage containers from  
25 consumers;

26           (ii) To issue a refund by cash, printed check,  
27 electronic refund, redeemable credit slip, or authorized donation with a  
28 value not less than the empty deposit beverage container's refund value;

29           (iii) To sort and quantify the redeemed empty  
30 deposit beverage containers for collection by a certified collector; and

31           (iv) To perform other responsibilities as required  
32 under this subchapter; and

33           (B) May be owned or operated by a qualifying entity,  
34 including without limitation:

35           (i) An individual;

36           (ii) A business, including without limitation a

1 grocery store or other retailer; or

2 (iii) A nonprofit agency, organization, or facility;

3 (6) "Certified redemption center depot" means an entity that has  
 4 been authorized by the Office of Sustainable Materials and the Arkansas  
 5 Department of Environmental Quality to accept specified nondeposit recyclable  
 6 materials;

7 (7)(A) "Consumer" means a person who purchases a deposit  
 8 beverage in a deposit beverage container for use or consumption and pays the  
 9 deposit under the deposit beverage container recycling program.

10 (B) "Consumer" includes an establishment for lodging,  
 11 eating, or drinking if beverages are generally consumed on the  
 12 establishment's premises.

13 (C) "Consumer" does not include a person who purchases a  
 14 deposit beverage from an establishment for on-premises consumption;

15 (8) "Dealer" means a person that engages in the sale of deposit  
 16 beverages in deposit beverage containers to a consumer for off-premises  
 17 consumption in this state;

18 (9)(A) "Deposit beverage" means:

19 (i) Beer, ale, or other drink produced by fermenting  
 20 malt, including without limitation flavored malt beverages, coolers, and  
 21 other malt-based beverages containing not more than fourteen percent (14%) of  
 22 alcohol by volume;

23 (ii) Nonalcoholic wine, beer, and ready-to-use  
 24 mixers such as margarita mix;

25 (iii) Carbonated soft drinks;

26 (iv) Carbonated and noncarbonated water, including  
 27 without limitation artificially and naturally flavored and sugared waters;

28 (v) Tea, kombucha, and coffee, including without  
 29 limitation lattes and other coffee drinks that contain milk;

30 (vi) Juices, including without limitation one  
 31 hundred percent (100%) juices, juice blends, coconut water, and drinking  
 32 vinegar;

33 (vii) Energy drinks and sports drinks;

34 (viii) Smoothies, protein shakes, and nutritional  
 35 supplements that are not marketed as a meal replacement; and

36 (ix) Flavored malt beverages, coolers, and other

1 malt-based beverages containing not more than fourteen percent (14%) of  
 2 alcohol by volume.

3 (B) "Deposit beverage" does not include:

4 (i) Milk and other dairy-derived products that  
 5 consist only of dairy milk and flavorings or nutritional additives, including  
 6 without limitation chocolate milk, cultured milk such as kefir and  
 7 buttermilk, and lactose-free milk;

8 (ii) Plant-based milk, including without limitation  
 9 almond milk and coconut milk;

10 (iii) Wine and distilled liquor;

11 (iv) Hard cider and unprocessed cider that is  
 12 considered a wine;

13 (v) A liquid that is:

14 (a) A syrup;

15 (b) In a concentrated form; or

16 (c) Typically added as a minor flavoring  
 17 ingredient in food or drink, such as extracts, cooking additives, sauces, or  
 18 condiments;

19 (vi) A liquid that is a drug, medical food, or  
 20 infant formula as defined by the Federal Food, Drug, and Cosmetic Act, 21  
 21 U.S.C. § 301 et seq., as it existed on January 1, 2019;

22 (vii) A liquid that is designed, marketed, and  
 23 consumed only as a dietary supplement or meal replacement and not as a  
 24 beverage as defined by the Dietary Supplement Health and Education Act of  
 25 1994, Pub. L. No. 103-417;

26 (viii) A product frozen at the time of sale to the  
 27 consumer, or, in the case of an institutional consumer such as a hospital or  
 28 nursing home, at the time of sale to the consumer;

29 (ix) A product designed to be consumed in a frozen  
 30 state;

31 (x) Instant drink powder; and

32 (xi) Soup or broth;

33 (10) "Deposit beverage container" means an individual, separate,  
 34 and sealed container that is made of glass, aluminum, steel, or other metal,  
 35 or polyethylene terephthalate plastic or high density polyethylene plastic,  
 36 regardless of size, and used for containing a deposit beverage at the time of

1 sale to the consumer if the container does not already carry a manufacturer's  
2 deposit;

3 (11)(A) "Deposit beverage distributor" means a person who  
4 engages in the sale of deposit beverages in deposit beverage containers to a  
5 dealer in this state, including without limitation a manufacturer who engages  
6 in these sales.

7 (B) "Deposit beverage distributor" includes without  
8 limitation a person who imports deposit beverages from outside of this state  
9 for sale to dealers or consumers in this state, and a federal agency and  
10 military distributors.

11 (C) "Deposit beverage distributor" does not include an  
12 airline and shipping company that merely transports deposit beverage  
13 containers;

14 (12) "Fiscal year" means July 1 of one year through June 30 of  
15 the next year;

16 (13) "Fraudulent return" means an effort, whether or not  
17 successful or deliberate, to receive a refund on a deposit beverage container  
18 that does not meet the requirements for a refund under this subchapter,  
19 including without limitation a container:

20 (A) Purchased in another state;

21 (B) Purchased in this state before April 1, 2022;

22 (C) On which the Arkansas five-cent indicia is not present  
23 or cannot be detected;

24 (D) Redeemed previously; or

25 (E) Presented to be quantified by weight that has been  
26 made artificially heavy by deliberate means;

27 (14) "Hard cider" means liquor brewed from the fermented juices  
28 of fruit and containing more than three percent (3%) and not more than  
29 twenty-one percent (21%) of alcohol by volume;

30 (15) "Import" means to buy, bring, or accept delivery of deposit  
31 beverage containers from an address, supplier, or an entity outside of this  
32 state;

33 (16) "Importer" means a person who buys, brings, or accepts  
34 delivery of deposit beverage containers from outside the state for sale or  
35 use within this state;

36 (17) "Microsite certified redemption center" means a certified

1 redemption center or certified redemption center depot housed in a portable,  
2 attended, roll-off trailer that is typically located adjacent to a hosting  
3 grocery store or other entity;

4 (18) "On-premises consumption" means consumption of a deposit  
5 beverage by a consumer immediately and within the area under control of the  
6 establishment, including without limitation bars, restaurants, passenger  
7 ships, and airplanes;

8 (19) "Overhead allowance" means an amount paid by the Office of  
9 Sustainable Materials to a certified redemption center or certified  
10 redemption center depot to defray operating costs according to § 8-9-720;

11 (20) "Overhead support fee" means an amount paid to the Office  
12 of Sustainable Materials by a deposit beverage distributor to support the  
13 payment of the overhead allowance according to § 8-9-705;

14 (21) "Person" means an individual, partnership, firm,  
15 association, public or private corporation, federal agency, trust, estate,  
16 department, agency, authority, or instrumentality of the state or its  
17 political subdivisions, or other legal entity;

18 (22)(A) "Redemption rate" means the number of refunds paid out  
19 by the Deposit Beverage Container Fund in a given period relative to the  
20 number of deposits paid into the fund during the same period and expressed as  
21 a percentage, with the numerator being the number of refunds paid out and the  
22 denominator being the number of deposits paid in.

23 (B) "Redemption rate" includes refunds known to be, or  
24 suspected to be, fraudulent returns;

25 (23) "Refillable beverage container" means a beverage container  
26 that:

27 (A) Is intended to be returned intact to the manufacturer  
28 or distributor to be washed, refilled, and resold;

29 (B) Is sold in a container that has a brand name  
30 permanently marked on it; and

31 (C) Bears a manufacturer's refund value of at least five  
32 cents (5¢);

33 (24) "Reverse vending machine" means a self-service certified  
34 redemption center, typically located adjacent to a grocery store or similar  
35 entity, that electronically scans empty deposit beverage containers, sorts  
36 and cancels the empty deposit beverage containers, records the transaction

1 information, and issues a credit slip or other form of refund; and

2 (25) "Unprocessed cider" means liquor brewed from the fermented  
3 juices of fruit and containing more than three percent (3%) and not more than  
4 twenty-one percent (21%) of alcohol by volume.

5  
6 8-9-703. Office of Sustainable Materials – Deposit beverage container  
7 recycling program – Accounting services – Promotional materials.

8 (a) The Arkansas Department of Environmental Quality shall create  
9 within the department the Office of Sustainable Materials, with dedicated  
10 positions and other expenses funded by the Deposit Beverage Container Fund.

11 (b) The department shall create a separate administrative entity to be  
12 known as the "deposit beverage container recycling program", which shall be  
13 funded by the fund.

14 (c)(1) Accounting functions of the deposit beverage container  
15 recycling program shall be performed by the office.

16 (2) The costs for the services under subdivision (c)(1) of this  
17 section shall be paid for by the fund.

18 (d)(1) The office, the deposit beverage container recycling program,  
19 or a contracted third-party administrator may produce brochures, websites,  
20 videos, or other promotional materials that the office determines to be  
21 necessary to inform the public about the goals, operations, benefits, and  
22 outcomes of the deposit beverage container recycling program.

23 (2) The costs for materials under subdivision (d)(1) of this  
24 section shall be paid for by the fund.

25  
26 8-9-704. Registration of deposit beverage distributors.

27 (a) A person who desires to conduct business in this state as a  
28 deposit beverage distributor shall register with the Associate Director of  
29 the Office of Sustainable Materials no later than one (1) month before  
30 commencement of business.

31 (b)(1) A deposit beverage distributor shall maintain records  
32 reflecting the manufacture and import of beverages in deposit beverage  
33 containers as well as in refillable beverage containers.

34 (2)(A) The records shall be made available, upon request, for  
35 inspection by the office.

36 (B) If proprietary information is obtained by the office,

1 the proprietary information shall be kept confidential and shall not be  
2 disclosed to another person, except:

3 (i) As may be reasonably required in an  
4 administrative or judicial proceeding to enforce this subchapter or a rule  
5 adopted under this subchapter; or

6 (ii) Under an order issued by a court or  
7 administrative hearing officer.

8  
9 8-9-705. Deposit beverage distributor – Deposit required.

10 (a) A deposit beverage distributor shall pay to the Deposit Beverage  
11 Container Fund a deposit fee on each deposit beverage container manufactured  
12 in or imported into this state.

13 (b) The deposit shall be five cents (5¢).

14 (c) Payment of the deposit shall be made simultaneously with, and  
15 according to the same procedure as, payment of the program charge as required  
16 in § 8-9-707.

17  
18 8-9-706. Deposit beverage distributor – Overhead support fee.

19 (a) A deposit beverage distributor shall pay to the Office of  
20 Sustainable Materials an overhead support fee on each deposit beverage  
21 container manufactured in or imported into this state.

22 (b) The overhead support fee shall be one cent (1¢).

23 (c) Payment of the overhead support fee shall be made simultaneously  
24 with, and according to the same procedure as, payment of the program charge  
25 as required in § 8-9-707.

26 (d) A payment under subsection (a) of this section shall be:

27 (1) Accompanied by an inventory report, in a manner and form  
28 prescribed by the office, that identifies the number of beverages in deposit  
29 beverage containers, by container size and type, manufactured in or imported  
30 into the state during the reporting period;

31 (2) Made monthly and received no later than the fifteenth day of  
32 the month following the end of the reporting period; and

33 (3) Made by check, money order, or electronic deposit to the  
34 office.

35 (e) A local government shall not impose or collect an assessment or  
36 fee on deposit beverage containers for the same or similar purpose that is



1 the subject of this subchapter.

2  
3 8-9-707. Deposit beverage distributor – Program charge.

4 (a)(1) A deposit beverage distributor shall charge the dealer or  
5 consumer a deposit equal to the program charge for each deposit beverage  
6 container sold in this state.

7 (2) The program charge shall appear as a separate line item on  
8 an invoice or sales receipt.

9 (3) The program charge shall not be subject to state tax.

10 (b)(1) A dealer shall charge the consumer at the point of sale a  
11 program charge for each deposit beverage container sold in this state, except  
12 on beverages intended for on-premises consumption.

13 (2) The program charge shall appear as a separate line item on a  
14 sales receipt or invoice.

15 (3) The program charge shall not be subject to state tax.

16  
17 8-9-708. Deposit beverage container – Arkansas refund value.

18 (a)(1) A deposit beverage container sold in this state shall have an  
19 Arkansas refund value of five cents (5¢).

20 (2) The refund value is the amount of the deposit required.

21 (3) When a refund value has been applied to a deposit beverage  
22 container, the deposit on the deposit beverage container shall not be changed  
23 or collected more than one (1) time.

24 (b)(1) The refund value shall be clearly printed, embossed, stamped,  
25 labeled, or otherwise marked on the deposit beverage container, along with  
26 the word “Arkansas” or the letters “AR”.

27 (2)(A) The names or letters representing other states with  
28 comparable deposit legislation may also be included in the indication of  
29 refund value.

30 (B) Other indicia may be required as specified by rule,  
31 and in a form and manner prescribed by the Office of Sustainable Materials.

32 (c) A deposit beverage container shall have encoded within the  
33 universal product code, or similar machine-readable indicia, information  
34 regarding the size and type of deposit beverage container and the refund  
35 value of the deposit beverage container in the states in which the deposit  
36 beverage container is intended to be sold.

1       (d)(1) Inventory already in circulation on April 1, 2022, shall be  
2 affixed or sold with an adhesive label bearing the refund value of the  
3 container, the word "Arkansas" or the letters "AR", and a universal product  
4 code bearing the redemption information.

5       (2) The adhesive label under subdivision (d)(1) of this section  
6 shall be purchased from the Office of Sustainable Materials by a deposit  
7 beverage distributor, who shall pay the deposit value of five cents (5¢) per  
8 label.

9       (e) This section does not apply to a refillable beverage container.

10  
11       8-9-709. Arkansas Legislative Audit – Annual audits.

12       (a) Arkansas Legislative Audit shall conduct a management and  
13 financial audit of the deposit beverage container recycling program for  
14 fiscal years 2021-2022 and 2022-2023, and for each fiscal year thereafter  
15 ending in an even-numbered year.

16       (b) Arkansas Legislative Audit shall submit the audit report,  
17 including the amount of unredeemed refund value and recommendations, to the  
18 General Assembly, Arkansas Department of Environmental Quality, and the  
19 Office of Sustainable Materials on or before January 2 following the end of  
20 the preceding reporting period.

21       (c) The costs incurred by Arkansas Legislative Audit for the audit  
22 shall be reimbursed by the Deposit Beverage Container Fund.

23       (d) Arkansas Legislative Audit may contract the audit services of a  
24 third party to conduct the audit.

25  
26       8-9-710. Notice required.

27       A dealer shall post a clear and conspicuous sign at each public  
28 entrance to the dealer's place of business that specifies the names,  
29 addresses, telephone numbers, and hours of operation of the closest certified  
30 redemption centers.

31  
32       8-9-711. Underserved area – Certified redemption centers and certified  
33 redemption center depots.

34       (a)(1) The Office of Sustainable Materials shall promulgate by rule  
35 the definition of an underserved area with regard to certified redemption  
36 centers and certified redemption center depots.

1           (2) However, in determining the definition of an underserved  
2 area with regard to certified redemption centers and certified redemption  
3 center depots, the following shall be considered in addition to the factors  
4 identified in a rule promulgated by the office:

5           (A) The population, population density, and population  
6 distribution of the designated area;

7           (B) The outcome of consultation with the respective  
8 counties and municipalities within the designated area; and

9           (C) The past performance of certified redemption centers  
10 and certified redemption center depots.

11           (b) If an area is determined to be an underserved area according to  
12 the definition under subsection (a) of this section, the office, with input  
13 from the affected county or counties, shall use the office's best efforts to  
14 see that a certified redemption center or certified redemption center depot  
15 is established in the underserved area.

16           (c) If an area remains underserved in spite of efforts under  
17 subsection (b) of this section, moneys from the Deposit Beverage Container  
18 Fund may be used to identify, enlist, or contract with a vendor, operator, or  
19 provider of certified redemption centers to ensure that a microsite certified  
20 redemption center or other certified redemption center or certified  
21 redemption center depot is established in the underserved area.

22  
23           8-9-712. Certified redemption center or certified redemption center  
24 depot – Application to participate in deposit beverage container recycling  
25 program.

26           (a) Before participating in the deposit beverage container recycling  
27 program, a redemption center or redemption center depot wishing to operate in  
28 this state shall be certified by the Office of Sustainable Materials  
29 according to rules promulgated by the office.

30           (b) The rules under subsection (a) of this section shall require that  
31 all information submitted to the office.

32           (c) Applications for certification shall be filed with the office in a  
33 form and manner prescribed by the office.

34           (d) A person shall not be prohibited from applying for certification  
35 to operate a certified redemption center or certified redemption center  
36 depot, but the office shall encourage and assist nonprofit entities wishing

1 to apply.

2 (e) The office shall establish criteria to determine the minimum and  
3 optimum number of certified redemption centers or certified redemption center  
4 depots needed to adequately serve each county, based on population density,  
5 population distribution, consultation with the respective counties, and other  
6 factors.

7 (f) The office shall use the criteria under subsection (e) of this  
8 section in issuing certifications.

9 (g)(1) At any time the office may review the certification of a  
10 certified redemption center or certified redemption center depot.

11 (2) After written notice to the person responsible for the  
12 establishment and operation of the certified redemption center or certified  
13 redemption center depot, the office, after it has afforded the certified  
14 redemption center or depot operator a hearing, may withdraw the certification  
15 of the certified redemption center or certified redemption center depot if  
16 the office finds that there has not been compliance with applicable laws,  
17 rules, permit conditions, or certification requirements.

18  
19 8-9-713. Certified redemption center or certified redemption center  
20 depot – Requirements – Payment.

21 (a) A certified redemption center and certified redemption center  
22 depot shall:

23 (1) Accept all types of empty deposit beverage containers on  
24 which an Arkansas deposit has been paid;

25 (2) Accept deposit beverage containers from the public a minimum  
26 number of hours or days per week according to rules promulgated by the Office  
27 of Sustainable Materials;

28 (3) Maintain redemption areas in full compliance with applicable  
29 laws and according to orders and rules promulgated by the office, including  
30 without limitation permitting and certification requirements and uniform  
31 signage and other design guidelines;

32 (4) Take reasonable actions to identify and prevent payment of a  
33 refund value for a deposit beverage container or other product on which an  
34 Arkansas deposit has not been paid, including deposit beverage containers or  
35 other products that the certified redemption center or certified redemption  
36 center depot knows, or should know, have been brought into this state from

1 another state;

2 (5) Determine the quantities of deposit beverage containers by  
3 manual count, electronic scan, weight, or other method authorized by the  
4 office, and in a form and manner prescribed by the office;

5 (6) Pay to the consumer, or to a nonprofit entity or other  
6 recipient designated or intended by the consumer, an amount not less than the  
7 established refund value for all valid deposit beverage containers;

8 (7) Maintain an electronic log of consumer transactions,  
9 including without limitation amounts of refunds donated to nonprofit  
10 entities, in a form and manner prescribed by the office;

11 (8) Sort, consolidate, and, if authorized by the office, cancel  
12 the redeemed deposit beverage containers according to rules promulgated by  
13 the office;

14 (9) Take reasonable precautions to ensure that redeemed deposit  
15 beverage containers are placed in a secure area while awaiting collection by  
16 a certified collector;

17 (10) Ensure that all redeemed deposit beverage containers are  
18 received by a certified collector;

19 (11) Provide to the certified collector a shipping report, in a  
20 form and manner prescribed by the office, that includes without limitation:

21 (A) Quantities of each deposit beverage container type by  
22 unit or by weight;

23 (B) Quantification method, whether manual count,  
24 electronic scan, weight, volume, or a combination of manual count, electronic  
25 scan, weight, or volume;

26 (C) Refund values paid;

27 (D) Weight tickets, if applicable; and

28 (E) Printouts of electronic transaction logs, if  
29 requested; and

30 (12)(A) Prepare, maintain, and provide to the office upon  
31 request all records and documentation of redemption activity, including  
32 without limitation consumer transaction logs, shipping reports, weight  
33 tickets, transaction receipts received from certified collectors, amounts of  
34 refunds or other benefits donated to charities, and documents authorizing the  
35 canceling of redeemed deposit beverage containers.

36 (B) If a certified redemption center is a certified

1 redemption center depot, the records and documentation made available shall  
2 include types and quantities of nondeposit recyclables collected, and the  
3 name of each certified collector receiving the materials.

4 (b) A certified redemption center or certified redemption center depot  
5 that wishes to cancel redeemed deposit beverage containers as part of its  
6 handling procedures shall apply for and receive authorization to do so from  
7 the office and shall perform and document the cancellations in a form and  
8 manner prescribed by the office.

9 (c) A certified redemption center depot shall, before accepting  
10 nondeposit recyclable material, enter into a written agreement with the  
11 appropriate receiving entity or entities, stipulating prescribed collection,  
12 handling, labeling, storage, documentation, transfer, transportation, and  
13 other requirements, and stipulating the terms of payment, if any, to be made  
14 by the receiving entity or entities to the certified redemption center depot.

15 (d) In order to be certified as a certified redemption center depot, a  
16 certified redemption center shall:

17 (1) Comply with all applicable requirements and rules for each  
18 type of nondeposit recyclable material accepted;

19 (2) Meet minimum requirements for property size, access,  
20 storage, and other criteria for each type of nondeposit recyclable material  
21 authorized for acceptance, according to rules promulgated by the office;

22 (3) Accept nondeposit recyclable materials during operating  
23 hours only; and

24 (4) Accept nondeposit glass containers, including without  
25 limitation deposit beverage containers from other states, deposit beverage  
26 containers on which no Arkansas deposit was paid, and deposit beverage  
27 containers not bearing the Arkansas five-cent indicia.

28 (e)(1) Every certified redemption center or certified redemption  
29 center depot in the state shall:

30 (A) Be owned or operated by a charity, community  
31 organization, social service agency, or other nonprofit entity operating in  
32 Arkansas; or

33 (B) Maintain an ongoing beneficial relationship with at  
34 least one (1) entity listed in subdivision (e)(1)(A) of this section.

35 (2)(A) As used in subdivision (e)(1) of this section, "ongoing  
36 beneficial relationship" shall be determined by the office but shall include

1 such measures as hosting bottle drives or maintaining a donation bin with  
2 proceeds earmarked for the nonprofit entity.

3 (B) The method for verifying that the requirement under  
4 subdivision (e)(2)(A) of this section is met shall be determined by the  
5 office.

6 (f) The office shall:

7 (1)(A) Issue payment to certified redemption centers in the sum  
8 of the following:

9 (i) The collective refund values of the redeemed  
10 deposit beverage containers received at the certified redemption center or  
11 certified redemption center depot;

12 (ii) The overhead allowance due under § 8-9-721; and

13 (iii) Payment for the deposit beverage redemption  
14 cost incurred.

15 (B) Payment shall be made to the certified redemption  
16 center or certified redemption center depot within ten (10) business days  
17 unless a significant discrepancy exists pursuant to § 8-9-720(c)(3), in which  
18 case payment may be withheld pending the outcome of an investigation by the  
19 office;

20 (2) Provide to the certified redemption center or certified  
21 redemption center depot a transaction receipt, prepared in a form and manner  
22 prescribed by the office and including, at a minimum, the following  
23 information:

24 (A) The unit quantities, by deposit beverage container  
25 type and collectively, of deposit beverage containers managed by the  
26 certified redemption center or certified redemption center depot, and whether  
27 quantities were determined by manual count, electronic scan, volume, weight,  
28 or a combination of manual count, electronic scan, volume, and weight;

29 (B) The weight, by deposit beverage container type and  
30 collectively, of deposit beverage containers managed by the certified  
31 redemption center or certified redemption center depot;

32 (C) The amounts paid in refund values by the certified  
33 redemption center or certified redemption center depot, by deposit beverage  
34 container type and collectively; and

35 (D) The amount paid as overhead allowance to the certified  
36 redemption center or certified redemption center depot;

1           (3) Submit to the office, in a form and manner prescribed by the  
2 office, an invoice for reimbursement of refund values, overhead allowances,  
3 and payment of administrative allowances due;

4           (4)(A) For a refillable beverage container received, reimburse  
5 the manufacturer's refund value to the certified redemption center or  
6 certified redemption center depot and ensure that the refillable beverage  
7 container is conveyed to the originating refillable beverage distributor or  
8 sold to a purchaser.

9           (B) The certified redemption center may negotiate a  
10 reasonable fee with the originating deposit beverage distributor or purchaser  
11 to cover the cost of accepting and handling the refillable beverage  
12 containers.

13  
14           8-9-714. Certified redemption center or certified redemption center  
15 depot – Refillable beverage containers.

16           A certified redemption center or certified redemption center depot that  
17 wishes to accept refillable beverage containers from consumers shall:

18           (1) Pay to the consumer the manufacturer's refund value for the  
19 refillable beverage container;

20           (2) Record the transaction in the consumer transaction log; and

21           (3)(A) Ensure that the refillable beverage container is received  
22 by a certified processor or the originating deposit beverage distributor, who  
23 shall reimburse the manufacturer's refund value to the certified redemption  
24 center or certified redemption center depot.

25           (B) The certified redemption center or certified  
26 redemption center depot may negotiate with the receiving entity a reasonable  
27 fee to cover the cost of accepting and handling refillable beverage  
28 containers.

29  
30           8-9-715. Certified redemption center or certified redemption center  
31 depot – Nondeposit glass containers.

32           (a) A certified redemption center that wishes to accept nondeposit  
33 glass containers or other items on a list of specified nondeposit recyclable  
34 materials as a convenience to consumers, as an additional source of revenue,  
35 or to advance the solid waste management goals of the state or the Arkansas  
36 Department of Environmental Quality, may apply to the Office of Sustainable



1 Materials to be certified as a certified redemption center depot.

2 (b) The list of specified nondeposit recyclable materials shall be  
3 determined by the office and may be updated as often as needed.

4 (c)(1) A nondeposit recyclable material, including without limitation  
5 glass beverage containers on which no Arkansas deposit was paid, is not  
6 eligible for a refund under this subchapter.

7 (2) However, a certified redemption center depot may pay  
8 consumers an amount reflecting all or some of the nondeposit recyclable  
9 material's market value.

10  
11 8-9-716. Certified collector.

12 (a)(1) Before participating in the deposit beverage container  
13 recycling program, a collector shall be certified by and registered with the  
14 Office of Sustainable Materials according to rules established by the office.

15 (2) The rules under subdivision (a)(1) of this section shall  
16 require that all information submitted to the office be under penalty of  
17 perjury.

18 (3) An application for certification and an application for  
19 registration shall be filed with the office, in a form and manner prescribed  
20 by the Associate Director of the Office of Sustainable Materials.

21 (b)(1) At any time the office may review the certification of a  
22 certified collector.

23 (2) After written notice to the person of record responsible for  
24 the establishment and operation of the certified collector, the office, after  
25 the office has afforded the certified collector a hearing, may withdraw the  
26 certification of the certified collector if the office finds that there has  
27 not been compliance with applicable laws, rules, permit conditions, or  
28 certification requirements.

29 (c) The office shall award a contract to a certified processor to  
30 collect materials from a certified redemption center and a certified  
31 redemption depot and deliver to a certified processor in accordance with the  
32 Arkansas Procurement Law, § 19-11-201 et seq.

33 (d) A certified collector shall be paid by the mile, at a rate  
34 determined by the office, to collect materials from a certified redemption  
35 center and a certified redemption depot and deliver to a certified processor.

36

1 8-9-717. Reports – Municipal or county governments.

2 The type and tonnage of material collected by a certified redemption  
3 center or certified redemption center depot and subsequently recycled shall  
4 be reported and credited to the municipal or county government where the  
5 certified redemption center or certified redemption center depot is located,  
6 for purposes of calculating solid waste diversion amounts and meeting  
7 regional solid waste reduction goals.

8  
9 8-9-718. Reverse vending machine.

10 A reverse vending machine may be used to satisfy the requirements of §  
11 8-9-713 if the reverse vending machine:

12 (1) Accepts all types of empty deposit beverage containers that  
13 bear a valid Arkansas refund value;

14 (2) Is routinely serviced to ensure proper operation and  
15 continuous acceptance of deposit beverage containers and payment of refunds;

16 (3) Is monitored during operating hours by an attendant who is  
17 authorized to issue refunds should the reverse vending machine fail to  
18 accept, recognize, or process a valid Arkansas deposit beverage container;  
19 and

20 (4) Displays a toll-free telephone number and a website or  
21 mailing address that a consumer may contact should an attendant be unable to  
22 provide assistance.

23  
24 8-9-719. Refusal to pay refund value.

25 A certified redemption center or certified redemption center depot may  
26 refuse to pay the refund value on a deposit beverage container that:

27 (1) Does not properly indicate an Arkansas refund value;

28 (2) Is broken, corroded, dismembered, or flattened;

29 (3) Contains more than trace amounts of liquid; or

30 (4) Contains a significant amount of foreign material.

31  
32 8-9-720. Processor – Certification and registration.

33 (a)(1) Before participating in the deposit beverage container  
34 recycling program, a processor shall be certified by and registered with the  
35 Office of Sustainable Materials according to rules established by the office.

36 (2) The rules under subdivision (a)(1) of this section shall

1 require that all information submitted to the office be under penalty of  
2 perjury.

3 (3) An application for certification shall be filed with the  
4 office, in a form and manner prescribed by the Associate Director of the  
5 Office of Sustainable Materials.

6 (4) An application for registration shall be filed with the  
7 office, in a form and manner prescribed by the Associate Director of the  
8 Office of Sustainable Materials.

9 (b)(1) At any time the office may review the certification of a  
10 certified processor.

11 (2) After written notice to the person of record responsible for  
12 the establishment and operation of the certified processor, the office, after  
13 the office has afforded the certified processor operator a hearing, may  
14 withdraw the certification of the certified processor if the office finds  
15 that there has not been compliance with applicable laws, rules, permit  
16 conditions, or certification requirements.

17 (c) A certified processor shall:

18 (1)(A) Accept from a certified redemption center or certified  
19 redemption center depot deposit beverage containers that have been redeemed,  
20 quantified, sorted, and, if applicable, canceled according to deposit  
21 beverage container recycling program rules and that are accompanied by a  
22 shipping report prepared by the certified redemption center or certified  
23 redemption center depot according to deposit beverage container recycling  
24 program rules.

25 (B) A certified processor shall accept all types of  
26 deposit beverage containers from a certified redemption center or certified  
27 redemption center depot being serviced unless arrangements have been made for  
28 another receiving entity to receive a particular deposit beverage container  
29 type, such as glass, from that certified redemption center or certified  
30 redemption center depot;

31 (2) Perform a random sampling or samplings, in a form and manner  
32 prescribed by the office, of the redeemed deposit beverage containers to  
33 ascertain that they were eligible for redemption;

34 (3)(A) Independently determine quantities of each type of  
35 deposit beverage container, either by manual count, electronic scan, volume,  
36 weight, or a combination of these methods, according to standards, averages,

1 and rules prescribed by the office, and document the quantities in a form and  
2 manner prescribed by the office.

3 (B) If a significant discrepancy exists between the  
4 quantities determined by the certified processor and the quantities stated on  
5 the shipping report prepared by the certified redemption center or certified  
6 redemption center depot, or if a random sampling of redeemed deposit beverage  
7 containers shows a significant proportion of deposit beverage containers that  
8 were not eligible for redemption, the certified processor shall notify the  
9 office for further investigation by the office, according to procedures  
10 prescribed by the office.

11 (C)(i) The office shall establish by rule what constitutes  
12 a significant discrepancy and significant proportion.

13 (ii) However, in establishing what constitutes a  
14 significant discrepancy and significant proportion, the office shall consider  
15 the following in addition to the factors identified by the office:

16 (a) The amount of deposit beverage containers  
17 that have been redeemed, quantified, sorted, and canceled by the certified  
18 redemption center or certified redemption center depot; and

19 (b) The past performance of the certified  
20 redemption center, certified redemption center depot, or certified processor;

21 (4) Cancel the redeemed deposit beverage containers, if they  
22 have not already been canceled;

23 (5)(A)(i) Process the deposit beverage containers as needed for  
24 remanufacturing or for sale to or receipt by a manufacturer, secondary  
25 certified processor, or other end user.

26 (ii) If, after making a good-faith effort, a certified  
27 processor is unable to locate a purchaser or recipient of a specific deposit  
28 beverage container material, the certified processor may apply to the office  
29 for permission to dispose of the deposit beverage container material in a  
30 form and manner prescribed by the office, with reasonable disposal costs to  
31 be reimbursed by the deposit beverage container recycling program.

32 (B)(i) The office shall establish by rule what constitutes  
33 a good-faith effort and reasonable disposal costs relative to this section.

34 (ii) The office shall consider past conduct and  
35 performance when establishing what constitutes a good-faith effort and  
36 reasonable disposal costs under this section; and

1           (6)(A) Maintain a copy of documentation, including without  
2 limitation shipping reports, weight tickets, and transaction receipts.

3           (B) Documents under subdivision (c)(6)(A) of this section  
4 shall be made available, upon request, to the office.

5           (d) Certified processors may create or make use of a collection  
6 service that picks up redeemed deposit beverage containers or refillable  
7 beverage containers from certified redemption centers or certified redemption  
8 center depots and transports them to a certified processor.

9  
10          8-9-721. Overhead allowance.

11          (a) The Office of Sustainable Materials shall pay to a certified  
12 redemption center or certified redemption center depot, by agency of a  
13 certified processor under § 8-9-720, an overhead allowance for each  
14 transaction conducted according to rules established by the office.

15          (b) The overhead allowance shall be the total of an amount not to  
16 exceed one and six tenths of a cent (1.6¢) multiplied by the number of  
17 deposit beverage containers received in the transaction, as reported to the  
18 office in the certified redemption center's invoice under § 8-9-722, and  
19 shall remain at that level until changed by the General Assembly.

20          (c) The overhead allowance shall be paid out of the Deposit Beverage  
21 Container Fund.

22  
23          8-9-722. Certified redemption center – Invoice requirements.

24          (a) For every completed transaction with a certified redemption center  
25 or certified redemption center depot, a certified redemption center or  
26 certified redemption center depot shall submit to the Office of Sustainable  
27 Materials an invoice for an amount equal to the sum of all of the following:

28               (1) The total amount of refund values paid by the certified  
29 redemption center or certified redemption center depot under § 8-9-713; and

30               (2) The overhead allowance to be paid to the certified  
31 redemption center or certified redemption center depot under § 8-9-721.

32          (b) The certified redemption center or certified redemption center  
33 depot's invoice shall be accompanied by supporting documentation that shall  
34 include without limitation:

35               (1) A copy of the transaction receipt prepared by the certified  
36 redemption center or certified redemption center depot;

1           (2) A copy of the shipping report prepared by the certified  
2 redemption center or certified redemption center depot; and

3           (3) When applicable, a printout of electronic transaction logs.

4           (c) The office shall issue payment to the certified processor within  
5 ten (10) business days after receipt of a properly submitted invoice unless a  
6 discrepancy exists under § 8-9-713(f)(1)(B), in which case payment may be  
7 withheld pending investigation by the office according to procedures  
8 prescribed by the office.

9  
10       8-9-723. Inspections.

11       Deposit beverage distributors, certified redemption centers and  
12 certified redemption center depots, and certified processors shall, upon  
13 request and under penalty of perjury, make their records available for  
14 inspection by the Office of Sustainable Materials, the Treasurer of State, or  
15 an auditor of the Treasurer of State.

16  
17       8-9-724. Reports – Deposit beverage container recycling program.

18       (a) The Office of Sustainable Materials shall compile a report on the  
19 deposit beverage container recycling program for each fiscal year.

20       (b)(1) The report required under subsection (a) of this section shall  
21 be delivered to the General Assembly and the Governor on January 2 following  
22 the end of the preceding reporting period.

23       (2) Reports shall include without limitation:

24           (A) Performance indicators;

25           (B) Revenues and expenditures;

26           (C) Measures of effectiveness, including without  
27 limitation redemption rates and impacts on litter;

28           (D) Measures of access and convenience, including without  
29 limitation numbers, types, locations, and distribution of certified  
30 redemption centers, and efforts and expenditures to ensure that certified  
31 redemption centers are established in areas defined as underserved areas  
32 under § 8-9-711;

33           (E) Measures of benefits to nonprofit organizations,  
34 including without limitation the amount of donated refunds; and

35           (F) Economic impacts, including without limitation the  
36 number of jobs supported or created, and tonnage, market value, and end uses

1 of recovered materials.

2  
3 8-9-725. Advisory committee.

4 (a) The Office of Sustainable Materials shall convene an advisory  
5 committee to make recommendations to the office in developing rules needed to  
6 implement this subchapter and to advise the deposit beverage container  
7 recycling program.

8 (b) The Associate Director of the Office of Sustainable Materials  
9 shall select members of the advisory committee so as to obtain input from  
10 state agencies, as well as from representatives of the following:

11 (1) Bottlers;

12 (2) Consumers;

13 (3) Counties, including without limitation county sheriffs'  
14 departments;

15 (4) Dealers;

16 (5) Deposit beverage distributors;

17 (6) Importers;

18 (7) The Keep Arkansas Beautiful Commission;

19 (8) Manufacturers and end users;

20 (9) Municipalities;

21 (10) Nonprofit organizations;

22 (11) Recyclers, including without limitation scrap dealers and  
23 providers of curbside recycling;

24 (12) Certified redemption centers and certified redemption  
25 center depots;

26 (13) Redemption service providers;

27 (14) Solid waste professionals; or

28 (15) Others as recommended by the associate director.

29 (c)(1) Members of the committee shall serve at the associate  
30 director's pleasure.

31 (2) A majority of the committee members shall constitute a  
32 quorum for the purposes of recommending rules and providing input to the  
33 associate director.

34  
35 8-9-726. Violations.

36 (a) Except as provided in § 8-9-727, a person that violates this

1 subchapter or a rule adopted under this subchapter shall be assessed a civil  
2 penalty of not more than ten thousand dollars (\$10,000) for each separate  
3 offense.

4 (b) The civil penalty described in subsection (a) of this section  
5 shall be assessed by the Associate Director of the Office of Sustainable  
6 Materials pursuant to § 8-9-727.

7 (c) Each day of each violation shall constitute a separate offense.

8 (d) Any action taken to impose or collect the civil penalty provided  
9 for in this section shall be made through administrative or civil actions.

10  
11 8-9-727. Penalties.

12 (a) If the Associate Director of the Office of Sustainable Materials  
13 determines that a person has violated or is violating this subchapter, a rule  
14 adopted under this subchapter, or a term or condition of a certification or  
15 permit issued under this subchapter, the associate director may do one (1) or  
16 more of the following:

17 (1) Issue a field citation assessing a civil penalty and  
18 ordering corrective action immediately or within a specified time;

19 (2) Issue an order assessing a civil penalty for a past or  
20 current violation;

21 (3) Require compliance immediately or within a specified time;  
22 or

23 (4) Commence a civil action in Pulaski County Circuit Court, to  
24 seek appropriate relief, including without limitation a temporary,  
25 preliminary, or permanent injunction against violations of this subchapter,  
26 the imposition and collection of civil penalties, or other relief.

27 (b) An order issued under this section may include a suspension,  
28 modification, or revocation of a certification or permit issued under this  
29 subchapter and shall state with reasonable specificity the nature of the  
30 violation.

31 (c)(1) An order issued under this subchapter shall become final unless  
32 the person named in the order requests in writing a hearing before the office  
33 no later than twenty (20) days after the notice of order is served.

34 (2) A civil penalty imposed under this subchapter shall become  
35 due and payable twenty (20) days after the notice of the civil penalty is  
36 served unless the person named in the order requests in writing a hearing



1 before the office.

2 (3) Whenever a hearing is requested on a civil penalty imposed  
3 under this subchapter, the civil penalty shall become due and payable upon  
4 the issuance of a final order confirming the civil penalty in whole or in  
5 part.

6 (d) If, after a hearing held under this section, the office finds that  
7 a violation or violations have occurred, the office shall:

8 (1) Affirm or modify a civil penalty imposed or modify or affirm  
9 the order previously issued; or

10 (2) Issue an appropriate order or orders for the prevention or  
11 control of the violation involved, or for the taking of other corrective  
12 action as may be appropriate.

13 (e)(1) If, after a hearing on an order or civil penalty contained in a  
14 notice, the office finds that no violation has occurred or is occurring, the  
15 office shall rescind the order or civil penalty.

16 (2) An order issued after a hearing may prescribe the date or  
17 dates by which the violation or violations shall cease and may prescribe  
18 timetables for necessary action in preventing, abating, or controlling the  
19 violation.

20 (f)(1) If the amount of a civil penalty is not paid to the office  
21 within thirty (30) days after an order becomes final, the associate director  
22 may institute a civil action in the name of the state to collect the final  
23 civil penalty amount.

24 (2) In a proceeding to collect the civil penalty imposed, the  
25 office shall show that:

26 (A) Notice was given;

27 (B) A hearing was held or the time granted for requesting  
28 a hearing expired without a request for a hearing;

29 (C) The civil penalty was imposed; and

30 (D) The civil penalty remains unpaid.

31 (g) In connection with a hearing held under this section, the office  
32 shall have the power to subpoena the attendance of witnesses and the  
33 production of evidence on behalf of all parties.

34  
35 8-9-728. Application.

36 (a) The obligation to accept empty deposit beverage containers and pay

1 the refund value as described in this subchapter applies only to deposit  
2 beverage containers originally sold in this state as filled deposit beverage  
3 containers.

4 (b)(1) It is a violation of this subchapter for a person to tender or  
5 attempt to tender to a certified redemption center or certified redemption  
6 center depot during a single transaction more than twenty-four (24) empty  
7 deposit beverage containers that the person knows or has reason to know were  
8 not originally sold in Arkansas as filled deposit beverage containers.

9 (2) A violation of subdivision (b)(1) of this section may be  
10 punishable by a fine as provided in subsection (d) of this section.

11 (c) Certified redemption centers and certified redemption center  
12 depots must conspicuously display a sign in letters that are at least one  
13 inch (1") in height with the following information:  
14 "WARNING: Persons tendering containers for redemption that were not  
15 originally purchased in Arkansas may be subject to a fine of the greater of  
16 one hundred dollars (\$100) per container or twenty-five thousand dollars  
17 (\$25,000) for each tender."

18 (d) A person who violates this section is subject to a fine of up to  
19 the greater of one hundred dollars (\$100) for each container or twenty-five  
20 thousand dollars (\$25,000) for each tender of more than twenty-four (24)  
21 containers.

22 (e) The balance of each fine collected under this section, after  
23 deducting court costs, shall be deposited into the Deposit Beverage Container  
24 Fund and shall remain in the fund to be expended for activities authorized by  
25 this subchapter, with the exception that if the violation was detected and  
26 reported by a certified redemption center or certified redemption center  
27 depot or a certified processor, then the fine shall be disposed of as  
28 follows:

29 (1) Fifty percent (50%) of the fine shall remain in the fund to  
30 be expended for activities authorized by this subchapter; and

31 (2) Fifty percent (50%) of the fine shall be awarded to the  
32 certified redemption center or certified redemption center depot or the  
33 certified processor that reported the violation, as an incentive to be  
34 vigilant for and responsive to illegal tenders or attempts to otherwise  
35 defraud the deposit beverage container recycling program through fraudulent  
36 returns.

1  
2 8-9-729. Rules.

3 Unless otherwise provided in this subchapter, the Office of Sustainable  
4 Materials shall promulgate rules to carry out this subchapter.

5  
6 SECTION 2. Arkansas Code § 19-6-301, concerning special revenues, is  
7 amended to add an additional subdivision to read as follows:

8 (263) Fees collected under the Arkansas Litter Reduction and  
9 Deposit Beverage Container Recycling Act, § 8-9-701 et seq.

10  
11 SECTION 3. Arkansas Code Title 19, Chapter 6, Subchapter 8, is amended  
12 to add an additional section to read as follows:

13 19-6-840. Deposit Beverage Container Fund.

14 (a) There is created on the books of the Treasurer of State, the  
15 Auditor of State, and the Chief Fiscal Officer of the State a special revenue  
16 fund to be known as the "Deposit Beverage Container Fund".

17 (b) The fund shall consist of:

18 (1) The special revenues collected under §§ 8-9-705 – 8-9-708,  
19 to be deposited by the Office of Sustainable Materials into the State  
20 Treasury to the credit of the fund;

21 (2) Monetary civil penalties assessed and collected under the  
22 Arkansas Litter Reduction and Deposit Beverage Container Recycling Act, § 8-  
23 9-701 et seq.;

24 (3) United States Government moneys designated for deposit into  
25 the fund;

26 (4) A gift or donation to the fund; and

27 (5) Interest, earnings, and other revenues as may be authorized  
28 by law.

29 (c) The fund shall be administered by the office, which shall  
30 authorize distributions and administrative expenditures from the fund to:

31 (1) Reimburse refund values for deposit beverage containers  
32 redeemed by certified redemption centers and certified redemption center  
33 depots under § 8-9-713;

34 (2) Pay overhead allowances to certified redemption centers and  
35 certified redemption center depots under § 8-9-721;

36 (3) Pay certified redemption centers or certified redemption

1 center depots their share of fines collected under § 8-9-728;

2 (4) Fund all administrative, accounting, auditing, and  
3 compliance activities associated with the deposit beverage container  
4 recycling program under the Arkansas Litter Reduction and Deposit Beverage  
5 Container Recycling Act, § 8-9-701 et seq.;

6 (5) Employ personnel to oversee the implementation of the  
7 deposit beverage container recycling program under the Arkansas Litter  
8 Reduction and Deposit Beverage Container Recycling Act, § 8-9-701 et seq.,  
9 including permitting and enforcement activities;

10 (6) Defray office expenses associated with implementation of the  
11 Arkansas Litter Reduction and Deposit Beverage Container Recycling Act, § 8-  
12 9-701 et seq.; and

13 (7) Fund other distributions and administrative expenditures as  
14 necessary to administer the Arkansas Litter Reduction and Deposit Beverage  
15 Container Recycling Act, § 8-9-701 et seq.

16 (d) Moneys deposited into the fund may also be used to:

17 (1) Identify, enlist, or contract with vendors of microsite  
18 certified redemption centers under § 8-9-711;

19 (2) Provide training, guidance, and other resources to certified  
20 redemption centers or certified redemption center depots, especially  
21 certified redemption centers or depots owned or operated by nonprofit  
22 entities;

23 (3) Produce educational campaigns and materials to ensure public  
24 awareness of and compliance with the deposit beverage container recycling  
25 program under the Arkansas Litter Reduction and Deposit Beverage Container  
26 Recycling Act, § 8-9-701 et seq.; and

27 (4) Provide grants to local governments, certified redemption  
28 centers and certified redemption center depots, certified processors,  
29 nonprofit organizations, or other entities to support solid waste management,  
30 recycling, curbside recycling, litter control, and other programs and  
31 activities related to the purposes of the Arkansas Litter Reduction and  
32 Deposit Beverage Container Recycling Act, § 8-9-701 et seq.

33  
34 SECTION 4. DO NOT CODIFY. Effective Dates.

35 (a) Section 8-9-703(a) in Section 1 of this act is effective on and  
36 after September 1, 2019.

1       (b) Sections 8-9-705 and 8-9-706 in Section 1 of this act are  
2 effective on and after March 1, 2020.

3       (c) Sections 8-9-707, 8-9-708, 8-9-721, and 8-9-722 in Section 1 of  
4 this act are effective on and after April 1, 2020.

5       (d) The first report required under § 8-9-724(a) in Section 1 of this  
6 act shall be for the period from October 1, 2019, through June 30, 2021.

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