

**SUBSTITUTE FOR  
HOUSE BILL NO. 5423**

A bill to amend 1976 IL 1, entitled

"A petition to initiate legislation to provide for the use of returnable containers for soft drinks, soda water, carbonated natural or mineral water, other nonalcoholic carbonated drink, and for beer, ale, or other malt drink of whatever alcoholic content, and for certain other beverage containers; to provide for the use of unredeemed bottle deposits; to prescribe the powers and duties of certain state agencies and officials; and to prescribe penalties and provide remedies,"

by amending section 3c (MCL 445.573c), as amended by 1996 PA 384.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           Sec. 3c. (1) ~~There~~ **The bottle deposit fund** is created in the  
2 department of treasury. ~~a bottle deposit fund which~~ **The fund** is a  
3 revolving fund administered by the department of treasury. The  
4 money **deposited** in the bottle deposit fund ~~shall~~ **does** not revert to



1 the general fund.

2 (2) The bottle bill enforcement fund is created in the  
3 department of treasury. The fund is a revolving fund administered  
4 by the department of treasury. The money deposited in the bottle  
5 bill enforcement fund does not revert to the general fund.

6 (3) ~~(2)~~ The department of treasury shall deposit the amount  
7 paid to the department of treasury by underredeemers ~~shall be~~  
8 ~~deposited by the department of treasury in~~ into the bottle deposit  
9 fund created in subsection (1) for annual disbursement by the  
10 department of treasury in the following manner:

11 (a) Seventy-five percent ~~to the cleanup and redevelopment~~  
12 ~~trust fund created in section 3e. to be disbursed as follows:~~

13 (i) The first \$1,000,000.00 to the bottle bill enforcement fund  
14 created in subsection (2). The department of treasury shall  
15 disburse the money deposited into the bottle bill enforcement fund  
16 to the department of state police and county and local law  
17 enforcement for use in enforcing this act and investigating  
18 violations of this act. The department of state police and county  
19 and local law enforcement shall apply for the disbursement of funds  
20 and the department of treasury shall disburse the funds in a manner  
21 determined by the department of treasury.

22 (ii) Any amount greater than \$1,000,000.00 to the cleanup and  
23 redevelopment trust fund created in section 3e.

24 (b) Twenty-five percent to dealers to be apportioned to each  
25 dealer on the basis of the number of empty returnable containers  
26 handled by a dealer as determined by the department of treasury.

27 (4) ~~(3)~~ Not later than June 1 of each year, the department of  
28 treasury shall publish and make available to the public information  
29 related to section 3b(1) and send a report of that information to



1 the legislature.

2       (5) ~~(4) The~~ If the department of treasury determines that  
 3 rules are needed to properly implement and administer sections 3a  
 4 to 3d, the department of treasury may promulgate rules to implement  
 5 and administer those sections 3a to 3d pursuant to ~~under~~ the  
 6 administrative procedures act of 1969, ~~Act No. 306 of the Public~~  
 7 ~~Acts of 1969, being sections 24.201 to 24.328 of the Michigan~~  
 8 ~~Compiled Laws, if the department of treasury determines that rules~~  
 9 ~~are needed to properly implement and administer sections 3a to~~  
 10 ~~3d.~~ 1969 PA 306, MCL 24.201 to 24.328.

11       Enacting section 1. This amendatory act takes effect 90 days  
 12 after the date it is enacted into law.

13       Enacting section 2. This amendatory act does not take effect  
 14 unless House Bill No. 5422 of the 100th Legislature is enacted into  
 15 law.

