

SENATE BILL No. 1198

March 3, 2010, Introduced by Senators JELINEK and PAPPAGEORGE and referred to the Committee on Appropriations.

A bill to amend 2008 PA 388, entitled
"Beverage container redemption antifraud act,"
(MCL 445.631 to 445.643) by adding section 12.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 12. THE DEPARTMENT SHALL IDENTIFY EACH REVERSE VENDING
2 MACHINE THAT DOES NOT COMPLY WITH SECTION 7(1) OR 9(1) OF THE
3 REVERSE VENDING MACHINE ANTIFRAUD ACT, 2008 PA 387, MCL 445.657 AND
4 445.659; THAT IS OPERATED BY A DEALER IN A COUNTY DESCRIBED IN
5 SECTION 7(2); AND THAT MAY BE ELIGIBLE FOR A PAYMENT FOR
6 RETROFITTING UNDER THIS ACT. ALL OF THE FOLLOWING APPLY CONCERNING
7 THIS IDENTIFICATION:

8 (A) THE DEPARTMENT SHALL USE THE INFORMATION PROVIDED BY
9 DEALERS IN THE REPORTS IT RECEIVES FROM DEALERS UNDER SECTION 13 TO

1 IDENTIFY THE REVERSE VENDING MACHINES DESCRIBED IN THIS SUBSECTION.

2 (B) BY NOVEMBER 26, 2010, AND BY APRIL 1 OF EACH SUBSEQUENT
3 YEAR, THE DEPARTMENT SHALL NOTIFY EACH DEALER THAT OPERATES A
4 REVERSE VENDING MACHINE DESCRIBED IN THIS SUBSECTION THAT THE
5 REVERSE VENDING MACHINE DOES NOT COMPLY WITH THE REVERSE VENDING
6 MACHINE ANTIFRAUD ACT, 2008 PA 387, MCL 445.651 TO 445.669, AND
7 THAT THE MACHINE MAY BE ELIGIBLE FOR A PAYMENT FOR RETROFITTING
8 UNDER THIS ACT.

9 (C) IF THE DEPARTMENT PROVIDES NOTICE UNDER SUBDIVISION (B) TO
10 A DEALER THAT OPERATES A REVERSE VENDING MACHINE THAT PROCESSES
11 METAL BEVERAGE CONTAINERS AND DOES NOT MEET THE REQUIREMENTS OF
12 SECTION 7(1) OF THE REVERSE VENDING MACHINE ANTIFRAUD ACT, 2008 PA
13 387, MCL 445.657, THE DEPARTMENT IS NOT REQUIRED TO PROVIDE AN
14 ADDITIONAL NOTICE TO THE DEALER IF THAT REVERSE VENDING MACHINE, OR
15 ANOTHER REVERSE VENDING MACHINE OPERATED BY THE DEALER AND
16 DESCRIBED IN THIS SUBSECTION, PROCESSES GLASS OR PLASTIC BEVERAGE
17 CONTAINERS; DOES NOT MEET THE REQUIREMENTS OF SECTION 9(1) OF THE
18 REVERSE VENDING MACHINE ANTIFRAUD ACT, 2008 PA 387, MCL 445.659;
19 AND IS ELIGIBLE FOR A PAYMENT UNDER THIS ACT FOR RETROFITTING TO
20 PROCESS GLASS OR PLASTIC BEVERAGE CONTAINERS.

21 Enacting section 1. This amendatory act does not take effect
22 unless Senate Bill No. 1197

23 of the 95th Legislature is enacted into law.