

HB250 ENGROSSED



1 HB250
2 TJHW951-2
3 By Representative Robbins
4 RFD: Economic Development and Tourism
5 First Read: 27-Feb-24



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A BILL
TO BE ENTITLED
AN ACT

Relating to recyclable materials; to authorize the Alabama Department of Environmental Management to establish a recycle credit program for the issuance, sale, or transfer of recycle credits; and to authorize the department to impose civil penalties for violation of certain provisions of this act.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. (a) As used in this section, the following terms have the following meanings:

(1) DEPARTMENT. The Alabama Department of Environmental Management.

(2) RECYCLABLE MATERIALS. Recyclable materials, as defined in Section 22-27-2, Code of Alabama 1975.

(3) RECYCLE CREDIT. A transferable credit initially issued by the department to a recycler for every ton of recyclable materials used by a recycler to produce a new product or an energy source.

(4) RECYCLE CREDIT CERTIFICATE. A certificate evidencing the owner, quantity, and acquisition date of a specified number of recycle credits.



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29 (5) RECYCLE CREDIT MARKET. An open market for the
30 transfer of recycle credits.

31 (6) RECYCLER. The initial owner of a recycle credit
32 issued by the department.

33 (7) TRANSFER. The change of ownership of a recycle
34 credit from one person to another, whether in exchange for
35 money or otherwise.

36 (b) (1) The department shall issue recycle credits
37 following receipt of an application on a form established by
38 the department evidencing that an applicant used at least one
39 ton of recyclable materials to create a new product or an
40 energy source.

41 (2) The department may charge a fee for issuing a
42 recycle credit payable by the person to whom the recycle
43 credit is issued.

44 (c) A recycle credit expires on either the third
45 anniversary of the date it was issued or the date it is
46 transferred to the department by the operator of a public or
47 private solid waste disposal facility in the state, whichever
48 occurs first.

49 (d) (1) The price of a recycle credit shall be
50 determined by a written agreement between the transferor and
51 transferee. The department shall establish the form of
52 agreement.

53 (2) A recycle credit may be transferred to any person
54 who desires to acquire the credit.

55 (3) The owner of a recycle credit may transfer a
56 recycle credit on the recycle credit market.



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57 (e) (1) The department shall adopt rules and administer
58 all recycle credit transactions.

59 (2) The department may not issue recycle credits and
60 corresponding recycle credit certificates of more than 50
61 million credits or certificates per calendar year.

62 (3) A transfer of a recycle credit is not valid unless,
63 within 30 days following the transaction, the transferee has
64 registered the transaction with the department by filing a
65 registration form accompanied by a registration fee. The
66 registration form and the registration fee shall be
67 established by the department.

68 (f) A person may not falsify a recycle credit
69 certificate or fraudulently transfer a recycle credit or a
70 recycle credit certificate. The department may impose a civil
71 penalty in accordance with the Alabama Environmental
72 Management Act.

73 Section 2. This act shall become effective on October
74 1, 2024.



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House of Representatives

Read for the first time and referred27-Feb-24
to the House of Representatives
committee on Economic Development
and Tourism
Read for the second time and placed04-Apr-24
on the calendar:
1 amendment
Read for the third time and passed23-Apr-24
as amended
Yeas 101
Nays 1
Abstains 0

John Treadwell
Clerk