

HB381 INTRODUCED



1 HB381
2 TZKK199-1
3 By Representative Robbins
4 RFD: Economic Development and Tourism
5 First Read: 04-Mar-25



SYNOPSIS:

This bill would require the Alabama Department of Environmental Management to issue recycle credits to persons producing new products or energy sources using recyclable materials.

This bill would require the Department of Revenue to accept these credits in lieu of solid waste disposal fees.

This bill would authorize the transfer of these credits to other persons for a fee.

This bill would establish civil penalties for falsifying certain information.

This bill would direct specific disbursements of fees and penalties collected pursuant to this act.

This bill would also authorize the Alabama Department of Environmental Management to establish rules.

A BILL
TO BE ENTITLED
AN ACT

Relating to recycling; to require the Alabama Department of Environmental Management to issue recycle



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credits; to require the Department of Revenue to accept credits in lieu of certain fees; to provide for the transfer of recycle credits for a fee; to establish civil penalties for violations; and to direct specific disbursements of these fees and penalties.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. (a) For purposes of this section, the following terms have the following meanings:

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

(2) RECYCLABLE MATERIALS. The same meaning as provided in Section 22-27-2, Code of Alabama 1975.

(3) SOLID WASTE DISPOSAL FEE. Any fee collected pursuant to Section 22-27-17, Code of Alabama 1975.

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

(b)(1) The department shall issue a recycle credit to a person for each certified ton of recyclable materials that the person uses to produce a new product or energy source.

(2) A person may certify to the department the number of tons of recyclable materials that the person has used to create a new product or energy source by submitting a recycle credit application form established by the department.

(3) When issuing recycle credits to an applicant, the department shall also issue a recycle credit certificate that evidences the owner, quantity, and acquisition date of the recycle credits.



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(c) The Department of Revenue and all owners or operators collecting solid waste disposal fees shall accept a recycle credit in lieu of the solid waste disposal fee owed for one ton or four cubic yards of waste as provided in Section 22-27-17, Code of Alabama 1975.

(d) (1) A credit may be transferred to any person who desires to acquire the credit.

(2) A transfer of a recycle credit is not valid unless, within 30 days after the date of the transfer, the transferee registers the transfer by submitting a recycle credit transfer form and transfer fee to the department. The department shall establish a recycle credit transfer form and the amount of the transfer fee.

(e) A recycle credit expires either three years after the date it was issued or on the date it is accepted by the Department of Revenue, whichever occurs first.

(f) The department may not issue more than 50 million recycle credits per calendar year.

(g) (1) A person may not falsify a recycle credit application form or recycle transfer form.

(2) The department may assess a civil penalty of not more than one thousand dollars (\$1,000) for each violation of this subsection.

(h) The department shall transfer all fees and civil penalties collected pursuant to this section each month as follows:

(1) Forty percent shall be paid to the State Treasury to the credit of the Solid Waste Fund.



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85 (2) Forty percent shall be retained by the department
86 to be used exclusively to pay the costs of implementing and
87 administering this section and to fund educational programs
88 administered by the department on this section.

89 (3) Twenty percent shall be paid to the State Treasury
90 to the credit of the Alabama Recycling Fund.

91 (i) The department shall adopt rules to administer this
92 section.

93 Section 2. This act shall become effective on October
94 1, 2025.