

SENATE FLOOR AMENDMENT

Second Reading

BY SENATOR Woodward

1 Amend the State, Veterans, and Military Affairs Committee Report, dated
2 May 25, 2021, page 2, strike lines 14 and 15 and substitute:

3 "Page 11 of the reengrossed bill, strike lines 4 and 5 and substitute
4 "**containers - exemption - certification.** (1) EXCEPT AS PROVIDED IN
5 SUBSECTIONS (2) AND (3) OF THIS SECTION, EFFECTIVE JANUARY 1,.". "

6 Page 2 of the report, after line 22 insert:

7 "Page 11 of the bill, after line 27 insert:

8 "(3) (a) THE PROHIBITION SET FORTH IN SUBSECTION (1) OF THIS
9 SECTION DOES NOT APPLY TO EXPANDED POLYSTYRENE PRODUCTS THAT
10 ARE MANUFACTURED WITH AT LEAST THE FOLLOWING AMOUNTS, BY
11 WEIGHT, OF POSTCONSUMER RECYCLED RESIN:

12 (I) TEN PERCENT BY 2023;

13 (II) TWENTY PERCENT BY 2025; AND

14 (III) THIRTY PERCENT BY 2030.

15 (b) (I) COMMENCING JANUARY 1, 2024, A MANUFACTURER MAY
16 CERTIFY IN WRITING, IN A MANNER AND FORM DETERMINED BY THE
17 EXECUTIVE DIRECTOR OF THE DEPARTMENT OF PUBLIC HEALTH AND
18 ENVIRONMENT, THAT EXPANDED POLYSTYRENE PRODUCTS THAT THE
19 MANUFACTURER SELLS OR OFFERS FOR SALE AS CONTAINERS FOR
20 READY-TO-EAT FOOD IN THIS STATE ARE MANUFACTURED IN ACCORDANCE
21 WITH SUBSECTION (3)(a) OF THIS SECTION.

22 (II) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF PUBLIC
23 HEALTH AND ENVIRONMENT MAY REQUEST THAT A MANUFACTURER
24 SUPPLY DOCUMENTATION SUPPORTING ITS CERTIFICATION CLAIMS. THE
25 EXECUTIVE DIRECTOR SHALL TREAT ANY DOCUMENTATION RECEIVED
26 FROM A MANUFACTURER PURSUANT TO THIS SUBSECTION (3)(b)(II) AS A
27 TRADE SECRET AS DEFINED IN SECTION 7-74-102 (4).". "

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