

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



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4	SYNOPSIS:
5	This bill would require the Alabama Department
6	of Environmental Management to issue recycle credits to
7	persons producing new products or energy sources using
8	recyclable materials.
9	This bill would require the Department of
10	Revenue to accept these credits in lieu of solid waste
11	disposal fees.
12	This bill would authorize the transfer of
13	these credits to other persons for a fee.
14	This bill would establish civil penalties for
15	falsifying certain information.
16	This bill would direct specific disbursements or
17	fees and penalties collected pursuant to this act.
18	This bill would also authorize the Alabama
19	Department of Environmental Management to establish
20	rules.
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23	A BILL
24	TO BE ENTITLED
25	AN ACT
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27	Relating to recycling; to require the Alabama

28 Department of Environmental Management to issue recycle



- 29 credits; to require the Department of Revenue to accept
- 30 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
- 33 and penalties.
- 34 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:
- 35 Section 1. (a) For purposes of this section, the
- 36 following terms have the following meanings:
- 37 (1) DEPARTMENT. The Alabama Department of Environmental
- 38 Management.
- 39 (2) RECYCLABLE MATERIALS. The same meaning as provided
- 40 in Section 22-27-2, Code of Alabama 1975.
- 41 (3) SOLID WASTE DISPOSAL FEE. Any fee collected
- pursuant to Section 22-27-17, Code of Alabama 1975.
- 43 (4) TRANSFER. The change in ownership of a recycle
- 44 credit from one person to another, whether in exchange for
- 45 money or otherwise.
- (b) (1) The department shall issue a recycle credit to a
- 47 person for each certified ton of recyclable materials that the
- 48 person uses to produce a new product or energy source.
- 49 (2) A person may certify to the department the number
- of tons of recyclable materials that the person has used to
- 51 create a new product or energy source by submitting a recycle
- 52 credit application form established by the department.
- 53 (3) When issuing recycle credits to an applicant, the
- 54 department shall also issue a recycle credit certificate that
- evidences the owner, quantity, and acquisition date of the
- 56 recycle credits.



- 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.

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- (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.
- 70 (e) A recycle credit expires either three years after
 71 the date it was issued or on the date it is accepted by the
 72 Department of Revenue, whichever occurs first.
- 73 (f) The department may not issue more than 50 million 74 recycle credits per calendar year.
- 75 (g)(1) A person may not falsify a recycle credit 76 application form or recycle transfer form.
- 77 (2) The department may assess a civil penalty of not 78 more than one thousand dollars (\$1,000) for each violation of 79 this subsection.
- 80 (h) The department shall transfer all fees and civil 81 penalties collected pursuant to this section each month as 82 follows:
- 83 (1) Forty percent shall be paid to the State Treasury 84 to the credit of the Solid Waste Fund.



- 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.
- (3) Twenty percent shall be paid to the State Treasury 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.