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AB-3036 Solid waste: byproducts from the processing of food or beverages. (2017-2018)

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Assembly Bill No. 3036

CHAPTER 832

An act to add Section 40059.4 to the Public Resources Code, relating to solid waste.

[Approved by Governor September 27, 2018. Filed with Secretary of State September 27, 2018.]

LEGISLATIVE COUNSEL'S DIGEST

AB 3036, Cooley. Solid waste: byproducts from the processing of food or beverages.

The California Integrated Waste Management Act of 1989, administered by the Department of Resources Recycling and Recovery, generally regulates the disposal, management, and recycling of solid waste. The act authorizes each county, city, district, or other local governmental agency to determine, among other things, whether solid waste handling services are provided for by means of a nonexclusive, partially exclusive, or wholly exclusive franchise, contract, license, permit, or otherwise.

This bill would prohibit a county, city, district, or local governmental agency from subjecting the hauling of certain byproducts from the processing of food or beverages to an exclusive franchise, contract, license, or permit.

Vote: majority Appropriation: no Fiscal Committee: no Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 40059.4 is added to the Public Resources Code, to read:

40059.4. (a) For purposes of this section, "industrial source" means any of the following:

- (1) An entity required to be registered pursuant to Section 110460 of the Health and Safety Code.
- (2) An entity exempted from registration pursuant to Section 110480 of the Health and Safety Code.
- (3) A beer manufacturer, as defined in Section 23012 of the Business and Professions Code.
- (4) A distilled spirits manufacturer, as defined in Section 23015 of the Business and Professions Code.

(b) A county, city, district, or local governmental agency shall not subject the hauling of byproducts from the processing of food or beverages to an exclusive franchise, contract, license, or permit, if those byproducts meet all of the following conditions:

- (1) The byproducts originate from agricultural or industrial sources.
- (2) The byproducts do not include animal, including fish, processing byproducts.
- (3) The byproducts are source separated by the generator of the byproducts.

(4) The byproducts are not discarded.

(5) The byproducts are used as animal feed.