State of Wisconsin
2019 - 2020 LEGISLATURE

LRB-2331/1
EVM:kjf

2019 ASSEMBLY BILL 177

April 18, 2019 - Introduced by Representatives SHANKLAND, C. TAYLOR, BILLINGS, ANDERSON, BOWEN, CROWLEY, EMERSON, FIELDS, GRUSZYNSKI, HEBL, KOLSTE, MILROY, NEUBAUER, OHNSTAD, POPE, SARGENT, SINICKI, VINING and ZAMARRIPA, cosponsored by Senators MILLER, CARPENTER, LARSON, RINGHAND, RISSER, SMITH and L. TAYLOR. Referred to Committee on Local Government.

AN ACT ***to repeal*** 66.0419 of the statutes; **relating to:** local regulation of certain containers.

Analysis by the Legislative Reference Bureau

Current law limits the authority of a political subdivision to regulate auxiliary containers. "Auxiliary container" is defined as "a bag, cup, bottle, can, or other packaging that is designed to be reusable or single-use; that is made of cloth, paper, plastic, cardboard, corrugated material, aluminum, glass, postconsumer recycled material, or similar material or substrates, including coated, laminated, or multi-layer substrates; and that is designed for transporting or protecting merchandise, food, or beverages from a food service or retail facility." Specifically, with certain exceptions, a political subdivision may not 1) enact or enforce an ordinance regulating the use, disposition, or sale of auxiliary containers; 2) prohibit or restrict auxiliary containers; or 3) impose a fee, charge, or surcharge on auxiliary containers. This bill eliminates these restrictions on the authority of a political subdivision to regulate auxiliary containers.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 66.0419 of the statutes is repealed.

(END)