

State of Wisconsin



2015 Assembly Bill 730

Date of enactment: **March 30, 2016**

Date of publication*: **March 31, 2016**

2015 WISCONSIN ACT 302

AN ACT *to create* 66.0419 of the statutes; **relating to:** local regulation of certain 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 created to read:
66.0419 Local regulation of auxiliary containers.

(1) In this section:

(a) "Auxiliary container" means 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.

(b) "Political subdivision" means a city, village, town, or county.

(2) No political subdivision may do any of the following:

(a) Enact or enforce an ordinance or adopt or enforce a resolution regulating the use, disposition, or sale of auxiliary containers.

(b) Prohibit or restrict auxiliary containers.

(c) Impose a fee, charge, or surcharge on auxiliary containers.

(3) (a) This section does not limit the authority of a political subdivision in operating a curbside recycling or commercial recycling program or an effective recycling program under s. 287.11 or in designating a recycling location.

(b) Subsection (2) (b) and (c) does not apply to the use of auxiliary containers on a property owned by the political subdivision.

* Section 991.11, WISCONSIN STATUTES: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication."