

Municipal Regulation of Auxiliary Containers; HB 2446

HB 2446 prohibits municipalities from adopting or enforcing an ordinance, resolution, or regulation that restricts, taxes, imposes a fee upon, prohibits, or regulates the use of auxiliary containers. The bill defines “auxiliary container” as a straw, bag, cup, package, container, bottle, device, or other packaging, without limitation.

The bill authorizes municipalities to operate composting, recycling, and solid waste disposal programs and regulate the use of containers on property owned or maintained by the municipality. The bill expressly exempts the following activities from the prohibition:

- Passing or enforcing a general sales and use tax;
- Restricting use of glass containers on property owned or maintained by the municipality for reasons of public safety;
- Prohibiting littering; and
- Setting reasonable standards for the regulation of alcohol possession from the prohibition.