

HB 1679-FN - AS INTRODUCED

2026 SESSION

26-3201

08/07

HOUSE BILL **1679-FN**

AN ACT establishing a beverage container redemption program.

SPONSORS: Rep. A. Murray, Hills. 20; Rep. Malloy, Rock. 24; Rep. Hegner, Hills. 41; Rep. Horrigan, Straf. 10; Rep. Haskins, Rock. 11; Rep. C. Harvey, Ches. 6; Rep. Fellows, Graf. 8; Rep. Manohar, Hills. 9; Rep. Lucas, Graf. 7; Rep. LaMontagne, Straf. 17

COMMITTEE: Commerce and Consumer Affairs

ANALYSIS

This bill establishes a beverage container redemption program in the department of environmental services.

Explanation: Matter added to current law appears in ***bold italics***.
Matter removed from current law appears ~~[in brackets and struck through.]~~
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty-Six

AN ACT establishing a beverage container redemption program.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 1 New Chapter; Beverage Container Redemption Program. Amend RSA by inserting after
2 chapter 149-R the following new chapter:

3 CHAPTER 149-S

4 BEVERAGE CONTAINER REDEMPTION PROGRAM

5 149-S:1 Definitions. In this chapter:

6 I. "Beverage" means water, carbonated soft drinks, beer, malt beverages, hard cider, and
7 other non-dairy, non-alcoholic beverages intended for human consumption.

8 II. "Beverage container" means any individually-sealed glass, metal, or plastic bottle, can, or
9 jar containing a beverage.

10 III. "Distributor" means any person or entity that sells beverages in containers to a retailer
11 in New Hampshire.

12 IV. "Redemption center" means a facility registered with the department of environmental
13 services to accept empty beverage containers from consumers and issue refunds.

14 V. "Retailer" means any person who sells or offers for sale beverages in containers to
15 consumers.

16 VI. "Consumer" means an individual who purchases a beverage in a container for personal
17 use.

18 149-S:2 Beverage Container Deposit.

19 I. A distributor shall charge a \$0.10 refundable deposit on each eligible beverage container
20 sold in New Hampshire.

21 II. A consumer shall receive a refund of the deposit upon returning the empty container to a
22 redemption center or retailer.

23 III. The following containers shall be exempt from the deposit requirement:

24 (a) Containers larger than 3 liters.

25 (b) Milk, plant-based milk alternatives, infant formula, and medically prescribed
26 beverages.

27 (c) Beverage containers sold for consumption on airline or train services.

28 149-S:3 Duties.

29 I. Distributors shall:

30 (a) Collect the deposit from retailers.

1 (b) Reimburse redemption centers or retailers for refunded deposits, plus a handling fee
2 of \$0.035 per container, rounded up to the nearest cent.

3 II. Retailers shall:

4 (a) Accept eligible empty containers for redemption if the retailer sells that type or
5 brand of beverage in an eligible container.

6 (b) Return deposits to consumers.

7 (c) Receive reimbursement from distributors.

8 III. Redemption centers shall:

9 (a) Register with the department of environmental services.

10 (b) Comply with all handling, sanitation, and reporting requirements.

11 IV. Redemption centers may accept and redeem containers regardless of where purchased.

12 149-S:4 Unclaimed Deposits. Unclaimed deposits remaining after one year shall be remitted to
13 the beverage container recycling fund established in RSA 149-S:7. Such funds may be used for
14 expanding recycling infrastructure, litter prevention programs, and the administrative costs of the
15 beverage container redemption program.

16 149-S:5 Penalties.

17 I. The department of environmental services shall enforce this chapter.

18 II. A person who knowingly violates this chapter may be subject to:

19 (a) Civil penalties up to \$500 per violation per day.

20 (b) Suspension of redemption center or distributor registration.

21 149-S:6 Rulemaking. The department of environmental services shall adopt rules under RSA
22 541-A necessary to implement this chapter including:

23 I. Registration procedures.

24 II. Record keeping and reporting requirements.

25 III. Procedures for deposit refunds and reimbursement.

26 149-S:7 Beverage Container Recycling Fund. There is hereby established a special fund to be
27 known as the beverage container deposit fund. The fund shall be nonlapsing and continually
28 appropriated to the department of environmental services. All unclaimed deposits on recycled
29 beverage containers under RSA 149-S:4 shall be deposited into the fund. The state treasurer shall
30 invest the fund and any interest earned shall be credited to the fund. The fund may be used for
31 expanding recycling infrastructure, litter prevention programs, and the administrative costs of the
32 beverage container redemption program.

33 2 New Subparagraph; Beverage Container Deposit Fund. Amend RSA 6:12, I(b) by inserting
34 after subparagraph (410) the following new subparagraph:

35 (411) Moneys deposited into the beverage container deposit fund established in RSA
36 149-S:7.

37 3 Effective Date. This act shall take effect January 1, 2027.

**HB 1679-FN- FISCAL NOTE
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AN ACT establishing a beverage container redemption program.

FISCAL IMPACT: This bill does not provide funding.

Estimated State Impact				
	FY 2026	FY 2027	FY 2028	FY 2029
Revenue	\$0	\$0	Indeterminable Increase \$500,000+	Indeterminable Increase \$500,000+
<i>Revenue Fund(s)</i>	Beverage Container Recycling Fund			
Expenditures*	\$0	\$65,000 to \$115,000 (SWMF)	\$118,000 (BCRF)	\$123,000 (BCRF)
<i>Funding Source(s)</i>	Solid Waste Management Fund (SWMF) and Beverage Container Recycling Fund (BCRF)			
Appropriations*	\$0	\$0	\$0	\$0
<i>Funding Source(s)</i>	None			

*Expenditure = Cost of bill

*Appropriation = Authorized funding to cover cost of bill

METHODOLOGY:

This bill establishes a statewide beverage container redemption program administered by the Department of Environmental Services (DES). Distributors would collect a \$0.10 deposit on eligible beverage containers, consumers would receive the deposit back upon return, and distributors would reimburse retailers or redemption centers for the refunded deposit plus a handling fee. The bill requires DES to adopt rules, register and oversee redemption centers, monitor compliance, enforce penalties, and administer the Beverage Container Recycling Fund.

The Department of Environmental Services states this bill creates substantial new administrative and regulatory responsibilities, including establishing a registration and reporting system, conducting compliance oversight, developing and enforcing rules, and managing fund activity related to unclaimed deposits and penalties. To meet these obligations, DES anticipates the need for one Environmental Scientist (19-2040 ENV SCIENTISTS-4 SOC19-18). Using the statutory effective date and assuming the position begins January 1, 2027, the Department estimates General Fund (or fund-appropriate) expenditures of \$65,000 in FY 2027, which reflects a half-year cost, and \$116,000 in FY 2028 and \$122,000 in FY 2029 for full-year salary, benefits, and operating expenses.

DES also notes that implementation work including rulemaking, system development, permitting, registration, and compliance planning must begin prior to the January 1, 2027 effective date. If the position were authorized to begin on July 1, 2026, allowing DES to prepare for the operational start of the program, the Department states the FY 2027 cost would increase to \$115,000 for a full year of salary, benefits, and related costs.

Additionally, this bill directs distributors to remit unclaimed deposits and penalty revenue to the Beverage Container Recycling Fund. DES cannot estimate the number of beverage containers sold or redeemed, or the resulting unclaimed deposit percentage, and therefore cannot determine the exact amount of revenue that will accrue to the fund. However, DES anticipates revenue from unclaimed deposits is likely to exceed \$500,000 annually, although the exact amount is indeterminable. Because unclaimed deposits are remitted one year after deposits are collected, FY 2027 expenditures would require support from the Solid Waste Management Fund, with revenues becoming available to support the program beginning in FY 2028.

AGENCIES CONTACTED:

Department of Environmental Services