

LFC Requester:	Jonas Armstrong
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**AGENCY BILL ANALYSIS
2015 REGULAR SESSION**

WITHIN 24 HOURS OF BILL POSTING, EMAIL ANALYSIS TO:

LFC@NMLEGIS.GOV

and

DFA@STATE.NM.US

{Include the bill no. in the email subject line, e.g., HB2, and only attach one bill analysis and related documentation per email message}

SECTION I: GENERAL INFORMATION

{Indicate if analysis is on an original bill, amendment, substitute or a correction of a previous bill}

Check all that apply:
Original **Amendment**
Correction **Substitute**

Date January 29, 2015
Bill No: SB 252

Sponsor: Sen. Clemente Sanchez
Short Plastic Bulk Merchandise
Title: Containers Records

Agency Code: Attorney General's Office - 305
Person Writing Tannis L. Fox, AAG
Phone: 827-6695 **Email** tfox@nmag.gov

SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY15	FY16		

(Parenthesis () Indicate Expenditure Decreases)

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY15	FY16	FY17		

(Parenthesis () Indicate Expenditure Decreases)

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY15	FY16	FY17	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total						

(Parenthesis () Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to:
Duplicates/Relates to Appropriation in the General Appropriation Act:

SECTION III: NARRATIVE

This analysis is neither a formal Attorney General’s Opinion nor an Attorney General’s Advisory Letter. This is a staff analysis in response to an agency’s, committee’s, or legislator’s request.

BILL SUMMARY

Synopsis:

SB 252 proposes to require purchasers who intend to recycle, shred or destroy five or more “plastic bulk merchandise containers” to obtain proof of ownership from the seller, and obtain certain information regarding the seller and containers. A “plastic bulk merchandise container” is a “plastic crate, pallet or shell used by a product producer, distributor or retailer for the bulk transportation or storage of retain containers of milk, eggs, bakery items or bottled beverage products.” The purchase of 5 or more containers may not be a cash transaction. Violation of the provisions carries a civil penalty not to exceed \$10,000 for each violation. SB 252 does not apply to containers collected by public or private recycling or refuse haulers as part of a municipal solid waste recycling program.

FISCAL IMPLICATIONS

Note: major assumptions underlying fiscal impact should be documented.

Note: if additional operating budget impact is estimated, assumptions and calculations should be reported in this section.

SIGNIFICANT ISSUES None

PERFORMANCE IMPLICATIONS None

ADMINISTRATIVE IMPLICATIONS None

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP None

TECHNICAL ISSUES None

OTHER SUBSTANTIVE ISSUES None

ALTERNATIVES None identified

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL Status quo

AMENDMENTS None offered