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DELAWARE STATE SENATE
152nd GENERAL ASSEMBLY

SENATE BILL NO. 263

AN ACT AMENDING TITLE 7 OF THE DELAWARE CODE RELATING TO SOLID WASTE RECYCLING.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

Section 1. Amend § 6052, Title 7 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows and redesignating accordingly:

§ 6052. Definitions.

~~Notwithstanding any definitions in Chapter 60 or 64 of this title to the contrary, the following words and phrases shall have the meaning ascribed to them in this subchapter unless the context clearly indicates otherwise.~~

For purposes of this subchapter:

(2) “Beverage” means ~~any mineral waters (but not including naturally sparkling mineral waters), soda waters or any other carbonated beverage not containing alcohol that is commonly known as a “soft drink” and any beer, ale or other malt beverage containing alcohol.~~ any of the following products in liquid form:

a. Alcoholic liquors as defined in § 101 of Title 4.

b. Non-alcoholic beer, wine, or spirits.

c. Water or flavored water.

d. Seltzer.

e. Mineral water, soda, or similar carbonated soft drinks.

f. Carbonated or noncarbonated juices or juice drinks.

g. Sports drinks.

h. Energy drinks.

i. Coffee or tea.

j. Kombucha.

(3) “Beverage container” means ~~any airtight nonaluminous glass, metal, bimetal, or plastic can, bottle, jar, or other container containing~~ used to hold less than 2 quarts of a ~~beverage under pressure of carbonation.~~ beverage, except that “beverage container” does not include aseptic containers, such as juice boxes.

Section 2. Amend § 6057, Title 7 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 6057. Beverage containers — Findings, intent, prohibitions.

(a) The General Assembly hereby finds ~~that that~~:

(1) Aluminum and glass beverage containers are ~~a valuable~~ valuable recyclable ~~material materials~~ and a major source of nondegradable litter and landfill matter in this State State, ~~and that the~~

(2) The collection and disposal of this litter and solid waste constitutes a great financial burden for the citizens of this State; State, ~~and that, in~~

(3) In addition to this unnecessary expenditure of tax moneys, such litter unreasonably interferes with the enjoyment of life and property by our ~~citizens~~; citizens, ~~and that the~~

(4) The practice of littering and disposal ~~of a~~ of valuable recyclable ~~material materials~~ is not compatible with previously adopted policies of the State ~~in regard to~~ regarding proper use use, circularity, and protection of our natural ~~resources~~ resources, sustainability, and reducing landfill waste.

(b) It is the intent of the General Assembly to increase landfill diversion through significantly increased rates of reuse, circularity, and through recycling recycling, significantly, inclusive of beverage containers, thereby conserving valuable natural resources, removing the blight of litter on the landscape of the State caused by the disposal of beverage containers and other packaging, and ~~reduce~~ reducing the increasing costs of litter collection and disposal.

(c) *Prohibitions.* — No beverage ~~shall~~ may be sold or offered for sale in this State; State in a beverage container that is any of the following:

(1) ~~In containers~~ Packaged with or connected to ~~each~~ other beverages with any plastic ~~rings~~ connectors, including plastic rings, plastic tops, or plastic shrink wraps, ~~or similar devices which are not classified by the Department as biodegradable, photodegradable or recyclable.~~

(2) ~~In a beverage container which is not~~ Not recyclable or refillable.

(3) Packaged with or connected to other beverages using rings or ring-like designs, regardless of material.

Section 3. This Act takes effect on July 1, 2025.

SYNOPSIS

This Act limits the use of plastic and other beverage container rings, as well as plastic shrink wraps and plastic tops used to connect beverages, by expanding the definitions of “beverage” and “beverage container” and prohibiting beverages from being sold in containers connected to each other with plastic, ring, or ring-like connectors. Juice boxes and other aseptic containers are not defined as beverage containers and are not included in the ban.

By prohibiting the use of rings or plastic connectors to package or connect beverage containers, this Act reduces waste and furthers the State’s sustainability goals. It also supports the use of beverage packaging alternatives, which are already being used widely. This Act also updates the findings of the General Assembly to reflect the importance of

aluminum and glass as recyclables and the need for increased rates of reuse, circularity, and recycling of these valuable materials.

This Act takes effect on July 1, 2025.

This Act makes technical corrections to conform existing law to the standards of the Delaware Legislative Drafting Manual.

Author: Senator Paradee