

1 HB274
2 136022-2
3 By Representatives Greer, Wood, Beckman, Wallace, Beech,
4 Moore (B), Barton, Long, Buttram, Rich, Johnson (K), Collins,
5 Bridges, Fincher, Chesteen, Poole, Mask, Williams (P), Brown,
6 Baker, Ball, Baughn, Roberts, Mitchell, Gaston, Weaver,
7 Sessions, Tuggle, Farley, McCutcheon, Hill, Henry, Nordgren,
8 McClendon, Williams (J), Merrill, England, Grimsley and
9 Patterson
10 RFD: Commerce and Small Business
11 First Read: 09-FEB-12

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8 SYNOPSIS: Currently a county, municipality, or solid
9 waste authority may provide commercial front-end
10 loader, roll-off, or commercial recycling
11 collection services within the county or the
12 municipality even if there are two or more private
13 solid waste providers offering those services in
14 the county.

15 This bill would prohibit a county,
16 municipality, or solid waste authority from
17 providing commercial front-end loader, roll-off, or
18 commercial recycling collection services within the
19 county or the municipality if there are two or more
20 private solid waste providers offering those
21 services in the county.

22 This bill would exempt a governmental entity
23 that provides residential solid waste and recycling
24 collection within its own jurisdiction and allow a
25 governmental entity to collect residential solid
26 waste and recycling collection within its own
27 jurisdiction.

1 This bill would require each county,
2 municipality, or solid waste authority in violation
3 of this act, within six months from the date of its
4 approval by the Governor, or its otherwise becoming
5 law, to cease its operations that are in conflict
6 with this act.

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8 A BILL
9 TO BE ENTITLED
10 AN ACT

11
12 Relating to management of solid waste; to prohibit a
13 county, municipality, or solid waste authority from providing
14 commercial front-end loader, roll-off, or commercial recycling
15 collection services within the county or the municipality if
16 there are two or more private solid waste providers offering
17 those services in the county; to exempt a governmental entity
18 that provides residential solid waste and recycling collection
19 within its own jurisdiction and allow a governmental entity to
20 collect residential solid waste and recycling collection
21 within its own jurisdiction; and to require each county,
22 municipality, or solid waste authority in violation of this
23 act, within six months from the date of its approval by the
24 Governor, or its otherwise becoming law, to cease its
25 operations that are in conflict with this act.

26 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

1 Section 1. (a) A county, municipality, or solid
2 waste authority may not provide commercial front-end loader,
3 roll-off, or commercial recycling collection services within
4 the county or the municipality if there are two or more
5 private solid waste providers offering those services in the
6 county.

7 (b) A county, municipality, or solid waste authority
8 may not cross its jurisdictional lines to provide commercial
9 front-end loader, roll-off, or commercial recycling collection
10 services.

11 (c) (1) This act shall not apply to a governmental
12 entity that provides residential solid waste and recycling
13 collection within its own jurisdiction, and the governmental
14 entity may collect only residential solid waste and recycling
15 collection only within its own jurisdiction.

16 (2) A county, municipality, or solid waste authority
17 that operates a solid waste disposal facility or recycling
18 facility may not offer additional services that compete with
19 private providers within its regional planning district.

20 (d) A county, municipality, or solid waste authority
21 in violation of this act, within six months from the date of
22 its approval by the Governor, or its otherwise becoming law,
23 shall cease its operations that are in conflict with this act.

24 Section 2. This act shall become effective on the
25 first day of the third month following its passage and
26 approval by the Governor, or its otherwise becoming law.