

House _____ Amendment NO. _____

Offered By _____

1 AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 157 and
2 Senate Bill No. 102, Page 5, Section 407.485, Line 54, by inserting after all of said section and line,
3 the following:
4

5 "(1) A grantor of consent for the placement of a recycling bin may revoke such consent
6 pursuant to the terms and conditions of the consent document or if there is no consent document,
7 then with or without cause by giving notice, as defined in subdivision (2) of this subsection, to the
8 recycling bin owner or operator stating that if the recycling bin is not removed within thirty days
9 following the date of receipt of the notice, then at any time thereafter until the recycling bin owner or
10 operator removes the recycling bin, the recycling bin may at any time be removed at the recycling
11 bin owner or operators expense.

12 (2) (a) "Notice", as used in this section, means a written communication delivered
13 personally, by national overnight courier service, facsimile transmission, or U.S. certified or
14 registered mail, return receipt requested, postage prepaid, from the grantor of consent to the address
15 of the recycling bin owner or operator given under the terms and conditions of the consent document
16 or, if there is no consent document, then to the address displayed on the recycling bin.

17 (b) If no address is given in the consent document or displayed on the recycling bin, the
18 notice required by this subsection must be posted on the recycling bin for seven (7) consecutive days.

19 (3) (a) A property owner, or the property owner's agent, or a tenant or lessee of the property,
20 or a representative of the tenant or lessee, who complies with this section and acts reasonably shall
21 not be civilly liable to a recycling bin owner or operator for the removal of a recycling bin placed on
22 the property without the written consent of the property owner, or the property owner's agent, or a
23 tenant or lessee of the property, or a representative of the tenant or lessee.

24 (b) A grantor of consent who has revoked his or her written consent shall not be civilly liable
25 to a recycling bin owner or operator provided the revocation was provided as required under the
26 terms and conditions of the consent agreement between the grantor of consent and the recycling bin
27 owner or operator.

28 (c) Any party who removes or causes the removal of a recycling bin not in accordance with
29 this section shall be liable for all damages and costs and attorney fees incurred by the recycling bin
30 owner or operator for the loss of their bin and its operation."; and

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32 Further amend said bill by amending the title, enacting clause, and intersectional references
33 accordingly.
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Action Taken _____ Date _____