



Consumer Electronic Product Recycling – [Active](#) State Legislative Initiatives – 2006 Term

BILL INFORMATION	SUMMARY	SPECIFICS	STATUS
<p>CONNECTICUT SB 196</p> <p>Sponsor: Sen. Finch, Chair of the Environment Committee</p>	<p>ARF POS Bill</p> <p><i>Covered items:</i> CRTs, flat panel screens, or any video display device with a screen size of more than four inches</p>	<ul style="list-style-type: none"> • Would create an electronics recycling account within the state’s Environmental Quality Fund. • Retailers would be required to collect a \$6-10 ARF (depending on the size of the screen of the electronic device) at POS • Retailers, quarterly, would remit fees to the Commissioner of Revenue Services, who in turn would reimburse recyclers. 	<p>Introduced 2/16/06</p> <p>Committee: Joint Committees on the Environment and Finance</p> <p>Hearings held in February and March in Hartford, New Haven, Norwich and Bridgeport</p> <p>Passed Environment Committee – 3/20/06</p> <p>Died in Finance Committee without a vote – 4/18/06</p>
<p>CALIFORNIA AB2202</p> <p>Sponsor: Assemblywoman Lori Saldano</p>	<p>Revises CA eWaste law</p>	<ul style="list-style-type: none"> • Amends existing definition of electronic device with regard to the sales prohibition. Definition would include devices dependent on electronic currents or electromagnetic fields, devices to measure, transfer electromagnetic current, among other provisions. • Regulations would be implemented by DTSC on January 1, 2008 	<p>Introduced 2/22/06</p> <p>Committee: Natural Resources; pending in Environmental Safety and Toxic Materials</p>
<p>DELAWARE SB 244</p> <p>Sponsor: Senator McDowell</p>	<p>Manufacturer Unclaimed Rebate Program</p>	<ul style="list-style-type: none"> • Unclaimed promotional rebates offered by manufacturers of electronic devices are given to the state to fund the Special Electronic Device Recycling Fund to be used for recycling and other purposes • Manufacturers are not subject to the act if they 	<p>Introduced 1/19/06</p> <p>Committee: Energy and Transit</p> <p>Reported and technical amendment added 3/22/06</p>



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<p>HAWAII SB 2004</p> <p>Sponsor: Sen. J. Kalani English</p>	<p>Establishes an eWaste Task Force</p>	<p>can demonstrate that they have implemented a take-back program for a rate of 75 percent of its annual distribution in the state.</p> <ul style="list-style-type: none"> Establishes an eWaste task force within the Department of Health charged with preparing state eWaste policy and plan 	<p>Introduced 1/26/05 – carried over to 2006 Session</p> <p>Committees: Energy, Environment and International Affairs (reported 2/11/05) and Media, Arts, Science and Technology (reported 2/14/05)</p>
<p>HAWAII HB475/SB455</p> <p>Sponsor: Sen. David Ige</p>	<p>eWaste Task Force</p> <p><i>Covered items:</i> Electronics are defined as devices utilizing electrons and electric circuits, such as computers, household appliances, televisions, recording and playing devices for music or video tapes, and digital technology</p>	<ul style="list-style-type: none"> Would establish an eWaste Task Force to prepare a statewide policy and plan for the recycling of electronics. Task force must provide a report of its findings to the legislature 	<p>Introduced 1/24/06</p> <p>Committees: Energy, Environment, and International Affairs; Media, Arts, Science and Technology; Ways and Means</p>
<p>ILLINOIS H.B. 2346</p> <p>Sponsor: Rep. Elaine Nekritz (Vice-Chair – Environment and Energy Committee)</p>	<p>ARF POS Bill</p> <p>Covered items: Cathode Ray Tubes, flat panel screens (greater than 4”), any cell phones, computer monitors, CPUs, laptops, keyboards, computer speakers, any computer peripherals. (§59.5)</p>	<ul style="list-style-type: none"> The fees are assigned as follows: cell phones \$2; screen sizes less than 15” \$6, between 15” and 35” \$8, and those devices with screens larger than 35” \$10. (§59.15.b.1-4) Retailers who do not follow the guidelines are guilty of a Class 4 felony. (§59.50) 	<p>Introduced – 2/23/05; carries over to the 2006 session</p> <p>Committee: Rules; Environment and Energy</p>



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<p>IOWA SF 72</p> <p>Sponsor: Sen. Joe Bolkcom</p>	<p>Cell Phone Retailer Take-Back</p>	<ul style="list-style-type: none"> • Cell phone retailers must establish a system to collect and accept used cell phones for recycling, reuse or proper disposal, at no cost to the consumer. • Retailers must accept phones they originally sold to the consumer or the consumer’s old phone if the consumer is purchasing a new one from the retailer. 	<p>Introduced 1/26/05 – Carried over to 2006 Session</p> <p>Committee: Natural Resources and Environment</p>
<p>IOWA HF 2259</p> <p>Sponsor: Rep. Mascher</p> <p><i>Electronic Goods Deposit Act</i></p>	<p>TV & Computer Monitor Refund</p> <p>Covered items: Televisions, computer monitor and similar goods as defined by the Environmental Protection Commission</p>	<ul style="list-style-type: none"> • Provides for a “refund value of \$30” for each covered product that “shall be paid by the consumer” to state dealers. • Upon return of the electronic good upon which the refund has been paid to the dealer – who made the original sale – the refund value shall be returned to the consumer. • A dealer cannot refuse to accept an electronic good it originally sold, or refuse to pay the consumer its “refund value” as provided. • Dealer must set up a system to accept and collect electronics for reuse, recycling, or disposal at no cost to the consumer. 	<p>Introduced 2/7/06</p> <p>Committee: Environmental Protection</p> <p>This bill is a “dead” bill and will not be considered.</p>
<p>KENTUCKY HCR 28</p> <p>Sponsor: Rep. Robin L. Webb</p>	<p>eScrap Task Force Resolution</p>	<ul style="list-style-type: none"> • Creates an E-scrap Task Force, to be composed of nine members, to study ways to increase recycling of electronic waste; report findings and recommendations to the Legislative Research Commission by December 1, 2006. 	<p>Introduced—1/3/06</p> <p>Committee: Natural Resources and the Environment</p> <p>Reported 1/31; Posted for passage 2/2</p>



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<p>LOUISIANA SCR 20</p> <p>Sponsor: Sen. John Schedler</p>	<p>Study Bill</p>	<ul style="list-style-type: none"> • Senate Committee on Environmental Quality and House Committee on Environment would jointly study and make recommendations regarding recycling and disposal options for computers and electronic equipment. • Report would be given to the legislature no later than 30 days prior to the convening of the 2007 regular session. 	<p>Introduced—4/4/06</p> <p>Committees: Senate Committee on Environmental Quality; House Committee on Environment</p> <p>Passed Senate 4/5/06; hearing scheduled in House Environment Committee 4/18/06</p>
<p>MASSACHUSETTS H.3238</p> <p>Sponsor: Rep. Mark Carron</p>	<p>Producer Responsibility Bill</p> <p>Producers have financial responsibility for the collection and recycling of covered electronic products and historic waste, including orphan waste.</p> <p><i>Covered items:</i> CRTs, LCDs, flat panel TVs, computer monitors, video display products, CPUs with one or more circuit boards, mouse, printer, scanner, card readers</p>	<ul style="list-style-type: none"> • Producers have financial responsibility for the collection and recycling of covered products, historic waste, and orphan waste. • Producers must submit a collection and recycling plan on or before June 7, 2007. • Producers and retailers cannot sell covered products after January 1, 2008. • A study of the reuse market in MA shall be submitted and the findings written in a report no later than March 1, 2007. 	<p>Introduced 1/26/05 – Carried over to 2006 Session</p> <p>Committee: Environment, Natural Resources and Agriculture; Ways and Means</p> <p>Reported 3/13/06 from Environment Committee; referred to House Committee on Ways and Means</p>
<p>MASSACHUSETTS HB 4764 <i>*Bill text not yet available</i></p> <ul style="list-style-type: none"> ▪ <i>Bill will be the new vehicle for electronics recycling – not H3238 above</i> 	<p>Producer Responsibility Bill</p>	<ul style="list-style-type: none"> • Producers have financial responsibility for the collection and recycling of covered products. • Producers must submit a collection and recycling plan on or before January 1, 2007. • Producers must submit an annual report to DEP explaining their recycling program. 	<p>Introduced 3/20/06</p> <p>Committee: Environment, Natural Resources and Agriculture</p>



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<p>Sponsor: Joint Natural Resources and Agriculture Committee</p>			
<p>MICHIGAN H.B. 4155</p> <p>Sponsor: Rep. Chris Kolb</p>	<p>Landfill Ban</p> <p><i>Complete text:</i> “A person shall not knowingly dispose of, and an owner or operator of a municipal solid waste incinerator shall not knowingly permit the disposal of, a cathode ray tube, including a cathode ray tube contained in a television or computer monitor, in a municipal solid waste incinerator.”</p>	<p>Complete bill language as introduced is under “Summary”</p>	<p>Introduced 2/2/05 – Carried over to 2006 Session</p> <p>Committee: Natural Resources, Great Lakes, Land Use, and Environment</p>
<p>MICHIGAN H.B. 4156</p> <p>Sponsor: Rep. Chris Kolb</p>	<p>Landfill Ban</p> <p>Calls for CRTs to be banned in landfills starting in June 2006.</p>	<ul style="list-style-type: none"> • Ban on CRTs to begin June 1, 2006. • DEQ must convene a task force by July 1, 2005, to submit a report on adequacy of regulatory programs by December 1, 2005. • DEQ develops policy by April 1, 2006 on enforcement of ban. 	<p>Introduced 2/2/05 – Carried over to 2006 Session</p> <p>Committee: Natural Resources, Great Lakes, Land Use, and Environment</p>
<p>MINNESOTA S.F. 1595 and H.F. 1729</p> <p>Sponsors: Sen. Gary Kubly and Rep. Bud Nornes</p>	<p>Producer Responsibility Bill</p> <p>Each producer is responsible for financing the management of electronic waste. This may include a unique ARF for each product.</p>	<ul style="list-style-type: none"> • Producers may use an advance collection fee visible to the consumer, when selling a similar new electronic product, for up to two years in an amount sufficient to pay for the actual cost of collection and transportation of historic waste. (§2.b) • A producer’s plan must include details on how 	<p>Introduced 3/10/05 – Carried over to 2006 Session which began 3/1.</p> <p>Committee: Environment and Natural Resources</p>



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	<p><i>Covered items:</i> Appliances that contain complex circuitry, circuit boards, and one or more hazardous elements, including but not limited to TVs (CRTs/flat panel devices), audio and stereo equipment, monitors, computers, VCRs, keyboards, printers, telephones, fax machines, educational devices, toys, games, major household appliances (§1:5)</p>	<p>to reimburse local governments, nonprofit corporations, and retailers for the cost of collection and recycling of the producer’s covered electronic products. (§3.10:ii)</p> <ul style="list-style-type: none"> • Contains federal preemption clause. (§11) 	
<p>MINNESOTA HF 1391/SF 1298</p> <p>Sponsors: Rep. Ray Cox and Sen. Linda Higgins</p>	<p>Manufacturer Responsibility Bill</p>	<ul style="list-style-type: none"> • Manufacturers of video display devices must establish a program to collect and dispose of or recycle used video display devices. • Commissioner must issue a report on the reductions made in mercury emissions since 1990 by each individual sector, defined by the legislation. 	<p>Introduced 2/28/05 – Carried over to 2006 Session which began 3/1.</p> <p>Committees: House Governmental Operations and Veterans Affairs, Civil Law and Elections Committee, Agriculture, Environment and Natural Resources Finance, Rules and Administration Senate Environmental and Natural Resources, State and Local Government Operations, Finance, Ways and Means.</p>
<p>MINNESOTA HF 1404</p> <p>Sponsor: Rep. Tom Hackbarth</p>	<p>Establishes CRT disposal & recycling requirements</p>	<ul style="list-style-type: none"> • CRT manufacturers must label the product and register with the Office of Environmental Assistance prior to sale 	<p>Introduced 2/28/05 – Carried over to 2006 Session</p> <p>Committee: Environmental and Natural Resources</p>



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<p>MINNESOTA HF 1996/SF 1398</p> <p>Sponsors: Rep. Paul Thissen, Sen. Linda Scheid</p>	<p>ARF Bill</p> <p><i>Covered items:</i> Desktop or personal computer, computer monitor, portable computer, desktop printer, television, or video display device.</p>	<ul style="list-style-type: none"> • \$10 ARF imposed at POS • ARF fee, minus 3 percent for administrative expenses for the retailer, to be collected by a Corporation to be used to fund the transportation, collection and recycling of covered materials. Fee may also be used to refurbish the product. 	<p>Introduced 3/21/05 – Carried over to 2006 Session</p> <p>Committee: Environment and Natural Resources Committee</p>
<p>MINNESOTA HF 1404/SF 1327</p> <p>Sponsors: Rep. Tom Hackbarth and Sen. Linda Higgins</p>	<p>Labeling requirements for CRTs</p>	<ul style="list-style-type: none"> • Establishes requirements for CRT recycling and disposal. • Manufacturers must label the CRT and register with the Office of Environmental Assistance. 	<p>Introduced 1/28/05 – Carried over to 2006 Session</p> <p>Committee: Environment and Natural Resources</p>
<p>NEBRASKA LB 397</p> <p>Sponsor: Sen. Adrian Smith</p>	<p>Manufacturer Responsibility Bill</p>	<ul style="list-style-type: none"> • CRT manufacturers must label their product, register with the Department of Environmental Quality and pay a fee of not more than \$500. • Registrants must set up their own recycling plan 	<p>Introduced 1/12/05 – Carried over to 2006 Session</p> <p>Committee: Natural Resources</p>
<p>NEBRASKA LB 190</p> <p>Sponsor: Sen. Donald Preister</p>	<p>ARF</p>	<ul style="list-style-type: none"> • Nebraska Environmental Trust Board would implement a plan for collecting, storing, transporting, processing and recycling of electronic equipment. • \$5 POS fee for CRTs. Fee collected by retailer and turned over to Department of Revenue to cover the costs of the recycling plan. 	<p>Introduced 1/7/05 – Carried over to 2006 Session</p> <p>Committee: Natural Resources Committee</p>
<p>NEBRASKA LR 90 & LR 102</p>	<p>Study Bills</p>	<ul style="list-style-type: none"> • Study by the Natural Resources Committee (LR 90) or Executive Board (LR 102) to 	<p>LR 90 – Introduced 4/25/05 LR 102 – Introduced 5/5/05</p>



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<p>Sponsors: Sen. Don Priester & Sen. Adrian Smith</p>		<p>examine electronic waste recycling, feasibility, ramifications, including funding mechanisms. Committee will issue a report to the Legislature.</p>	<p>No Committee information available on either bill</p>
<p>NEW HAMPSHIRE HB 1455 *originally introduced as a manufacturer responsibility bill</p> <p>Sponsors: Reps. Suzanne Butcher, Babson, O’Connell</p>	<p>Manufacturer Responsibility Bill</p> <p><i>Covered items:</i> “video display devices” including computers, monitors, TVs etc. that include CRTs, LCDs, plasma, digital light processing or other image projection technology that are greater than 4 inches measured diagonally</p>	<ul style="list-style-type: none"> Prohibts disposal of video display devices in solid waste landfills as of July 1, 2007 	<p>Introduced 1/4/06</p> <p>Committee: Environment and Agriculture</p> <p>Passed House 3/28/06; Passed Senate 4/6/06; will be signed into law soon</p>
<p>NEW JERSEY SB 554/AB 2498 (Committee substitute draft)</p> <p>Sponsors: Sen. Bob Smith and Assemblymen John McKeon</p> <p><i>Electronic Waste Producer Responsibility Act</i></p>	<p>Producers must submit an electronics recycling management plan to the state. Prohibits disposal of eWaste. Establishes new marketing and labeling requirements.</p> <p>Manufacturers’ responsibility for computers. Retailers collect ARF for televisions.</p> <p><i>Covered items:</i> Computer CPU, CRT, CRT device, flat panel display, video display device with a screen greater than 4 inches (measured diagonally)</p>	<ul style="list-style-type: none"> \$15 POS ARF on every new TV Retailers must file annual registration certificate with the State Treasury indicating the total amount of ARF collected and then pay the Tax Division. Establishes a used television fund at DEP to fund state recycling program or to pay recyclers Manufacturers, within one year of enactment, must devise an approved electronic waste management plan to the state for its own devices (other than TVs) and its share of orphan waste Manufacturers must phase out the use of harmful substances in electronics. Manufacturers have labeling and consumer education requirements. Each county must adopt district recycling plan 	<p>Introduced Senate 1/10/2006 and in the House 2/6/06</p> <p>Committee: Senate Environment; Assembly Environment and Solid Waste</p> <p>Hearing held and reported 1/30/06 – HP, Panasonic, Sharp, ISRI, AEA and the NJ Business Alliance testified. The bill was reported from the Committee and will be rewritten in the Senate Appropriations Committee. The sponsor is considering amending the bill, substituting language that would implement a \$7-10 ARF on TVs and computer monitors.</p>



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<p>NEW YORK S7165</p> <p><i>Electronic Equipment Recycling Act</i></p> <p>Sponsors: Assemblyman William Colton & Senator Carl Marcellino</p>	<p>Manufacturer Responsibility Bill</p> <p><i>Covered items:</i> desktop/personal computers, computer monitor, portable computer, CRT and non-CRT TVs</p>	<ul style="list-style-type: none"> • Manufacturers register with the state and pay a \$5000 fee • Manufacturers report the weight of covered devices sold annually or request the DEP to estimate the weight based on national sales data prorated by state population • Manufacturers pay an additional fee based on their share of the covered devices. Fees deposited in recycling fund. • Manufacturers can run their own collection program • Retailers are responsible for consumer education • Retailers cannot sell devices not covered • Landfill ban two years after the law is enacted 	<p>Introduced 3/28/06</p> <p>Committee: Environmental Conservation</p> <p><i>Replaces A 3200 and A 3202 introduced in 2005</i></p>
<p>NEW YORK A 1454/S1287</p> <p>Electronic Equipment Recycling Act</p> <p>Sponsor: Assemblyman William Colton & Senator Carl Marcellino</p>	<p>Electronic Recycling Bill</p> <p><i>Covered items:</i> CRTs, items that contain complex circuitry</p>	<ul style="list-style-type: none"> • Creates an electronic equipment recycling program funded through the Environmental Protection Fund • CRT ban as of 1/1/09; imposes penalties for violations 	<p>Introduced 1/26/05. Carries over to 2006 session.</p> <p>Committee: Environmental Conservation</p> <p>Passed House 1/24/06, pending in Senate</p>
<p>NEW YORK A 1455/S 1563</p> <p>Sponsors: Assemblyman</p>	<p>Recycling Certification Bill</p>	<ul style="list-style-type: none"> • Directs the commissioner of environmental conservation to promulgate rules and regulations providing for the recycling, reuse and remanufacturing of electronic equipment 	<p>Introduced 1/19/05. Carries over to 2006 session.</p> <p>Committee: Environmental</p>



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Colton and Senator Marcellino			Conservation Passed House 2/9/06, pending in Senate Environmental Conservation Committee
<p>NEW YORK A 3390/S 636</p> <p>Sponsors: Assemblymen Colton and Englebright, Senator Marcellino</p>	<p>Retailer Cell Phone Take-back Bill</p>	<ul style="list-style-type: none"> • Cell phone retailers must take-back used cell phones • Prohibits disposal of and incineration of cell phones 	<p>Introduced 2/2/05. Carries over to 2006 session.</p> <p>Committee: Environmental Conservation</p> <p>Passed Assembly 1/30/06, pending in Senate Consumer Protection Committee</p>
<p>NEW YORK CITY Int. 643</p> <p>Electronic Equipment Recycling and Reuse Act of 2005</p> <p>Sponsors: Speaker Gifford Miller and Councilman Michael E. McMahon</p>	<p>Manufacturer Responsibility Bill</p> <p>Manufacturers of covered items must submit a plan for collecting and recycling.</p> <p><i>Covered items:</i> CPUs, CRTs, keyboards, mice, TVs, computer monitors, and video display devices greater than 4”, laptops, and portable digital music players (16-341.4)</p>	<ul style="list-style-type: none"> • “Manufacturer” – (a) one who sells covered electronic equipment under it’s own brand; (b) sells or resells covered electronic equipment produced by other entities under its own brand label; (c) imports covered electronic equipment for first sale in New York City; (d) manufactures or sells covered electronic equipment without affixing a brand. (16-341.8) • In order to sell in the city, manufacturers must develop and submit a recycling and reuse plan to the Department of Sanitation. (16-343) • Private right of action allowed. (§16-346) – Could be used against retailers. 	<p>Introduced – 5/26/05</p> <p>Committee: Sanitation and Solid Waste Management</p> <p>Hearing held 10/24/2005 Filed 12/31/2005 at the end of the session</p>



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<p>OKLAHOMA HB2525</p> <p>Sponsor: Rep. Abe Deuschendorf</p>	<p>eWaste Study Task Force</p>	<ul style="list-style-type: none"> Creates, until December 31, 2006, an Electronic Waste Study Task Force 	<p>Introduced 1/19/06</p> <p>Committees: Common Education; Aerospace and Technology; Higher Education</p>
<p>PENNSYLVANIA SB 1122</p> <p>Computer and Electronic Equipment Disposal and Recycling Act</p> <p>Sponsors: Sen. Connie Williams</p>	<p>ARF Bill</p> <p><i>Covered items:</i> CRTs, flat panel screen, video display devices with a screen size greater than 4 inches measured diagonally and which the department determines to be hazardous when discarded</p>	<ul style="list-style-type: none"> On and after July 1, 2006, a \$6-\$10 fee is imposed upon the first sale to a consumer by a retailer. Ban on selling covered devices as of July 1, 2006 After January 1, 2006, manufacturers must label their products Manufacturers must submit an annual report on the number of devices sold during the previous year, among other information Manufacturers must inform retailers that their products are covered by the new fee. Establishes a \$5000 civil penalty per offense for the sale of a covered device if fee is not paid 	<p>Introduced 3/17/06</p> <p>Committee: Environmental Resources and Energy</p>
<p>PENNSYLVANIA SB 1124</p> <p>Cell Phone Recycling Act</p> <p>Sponsors: Sen. Connie Williams</p>	<p>Retailer Cell Phone Take-back Bill</p>	<ul style="list-style-type: none"> As of July 1, 2006 cell phone retailers must have a plan to collect, recycle and dispose of used cell phones Retailers can require proof of purchase before taking back a used phone Take-back must be free of charge to the consumer 	<p>Introduced 3/17/06</p> <p>Committee: Environmental Resources and Energy</p>



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<p>RHODE ISLAND S0826</p> <p>Electronic Waste Producer Responsibility Act</p>	<p>Manufacturer Responsibility Bill</p> <p><i>Covered items:</i> CRTs, LCDs, flat panels, computer monitors, CPUs, laptop and desktop computers, keyboards, mice, printers, scanners, card readers</p>	<ul style="list-style-type: none"> • Producers have responsibility of their share of eWaste and orphan waste, must submit a plan to DEP and have operational plan by 1/1/2008 • Sales prohibition on covered products as of 1/1/08 	<p>Introduced 1/17/05. Carries over to 2006 session.</p> <p>Committee: Senate Environment and Agriculture Committee</p>
<p>SOUTH CAROLINA SB 1132/H.4510</p> <p>Sponsor: Sens. Sheheen and Leventis; Rep. Funderbunk</p>	<p>ARF Bill</p> <p><i>Covered items:</i> Video display device containing a screen bigger than 4” measured diagonally</p>	<ul style="list-style-type: none"> • Ban on sale of covered electronics as of 12/31/2007 • Manufacturer labeling requirement • \$6-10 (varies depending on size of screen of electronic) ARF at POS paid by consumer • ARF funds comprise the Electronic Waste and Recovery and Recycling Fund • Manufacturers must submit annual report to the state, including the number of devices recycled, among other information 	<p>Introduced 1/25/06 and 2/8/06</p> <p>Committee: Senate Medical Affairs; House Agriculture, Natural Resources and Environmental Affairs</p>
<p>VERMONT S. 270/HB 700</p> <p>Sponsor: Sens. Ayer, Giard and Lyons</p>	<p>Manufacturer Responsibility</p> <p>Establishes statewide requirements for collection, reuse and recycling of eScrap</p> <p><i>Covered items:</i> computers, monitors, printers, CRTs, all televisions</p>	<ul style="list-style-type: none"> • Agency of Natural Resources must adopt a statewide recycling plan for covered products • Sale and landfill ban as of July 1, 2008. • Establishes labeling requirements, including retailer requirements • Manufacturers submit an annual report on the number of devices sold in VT, amounts of hazardous materials used, and efforts to improve design. • Manufacturers pay an annual fee to state for each unit, calculated by a formula. 	<p>Introduced January 2006</p> <p>Committee: Natural Resources and Energy</p>



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<p>WISCONSIN SB 367</p> <p>Sponsor: Sen. Mark Miller</p>	<p>Producer Responsibility Bill</p>	<ul style="list-style-type: none"> • Producers finance collection and recycling of covered products • Producers submit plan to DNR within 30 months of the bill’s adoption, which must include ARF provisions. • ARF is \$1 before January 1, 2013, 60 cents from 2013-2017, and 20 cents after 2017 • Implements landfill ban one year after the law is enacted. • Violators prohibited from selling electronics in the state. • After seven years, bans the sale of electronics containing covered toxins. 	<p>Introduced 10/6/05 – Carried over to 2006 Session</p> <p>Committee: Natural Resources and Transportation</p>

For additional information, please contact:

Marc Pearl, Executive Director, Consumer Electronics Retailers Coalition (CERC)
 919 18th St. NW, Suite 925 | Washington, DC 20006 – (202) 464-4000
Pearl@ceretailers.org | <http://www.ceretailers.org>



Consumer Electronic Product Recycling – Enacted State Legislative Initiatives

BILL	TYPE OF LAW	SPECIFICS	STATUS
<p>ARKANSAS H.B 2115</p>	<p>Landfill Law</p> <p>Established a deadline for the disposal of computer and electronic waste in landfills.</p> <p>Only state agencies’ electronic devices are covered.</p> <p>State agencies are required to donate or recycle covered electronic devices.</p> <p>Covered items: Computers, computer monitors, TVs, audio and stereo equipment, monitors, computers, VCRs, keyboards, printers, telephones, fax machines (§2:3A-B)</p>	<ul style="list-style-type: none"> ○ Starting January 1, 2008, all covered items are banned from being disposed of in landfills. (§6) ○ Agencies must begin looking for other ways to dispose of government computers through donations and recycling. (§3) 	<p>Introduced – 2/25/05</p> <p>Signed by Governor on March 21, 2005.</p>
<p>CALIFORNIA S.B. 20</p>	<p>This law incorporates a POS ARF and includes a provision regarding manufacturer/producer reporting.</p> <p>The legislation was influenced by the European Union Directive 2002/95/EC with regard to the definition of covered devices.</p> <p>Covered items: Cathode Ray Tubes;</p>	<ul style="list-style-type: none"> ○ Graduated fee system. A device with a screen greater than 4” and less than 15” – \$6; 15-34” – \$8, and larger than 35” – \$10. (Art 3: 42464 1-3) ○ Retailers permitted to retain up to 3% of the fee to cover administrative costs. (Art 3: 42464 – D) ○ Manufacturers must submit an annual report to the California Waste Management Board covering sales data, 	<p>Bill passed in 2003.</p> <p>Signed into law by the Governor and took effect (after a further amending process) on January 1, 2005</p>



Consumer Electronic Product Recycling – Enacted State Legislative Initiatives

BILL	TYPE OF LAW	SPECIFICS	STATUS
	<p>CRT computer monitors; laptop computers with LCD screens; LCD containing desktop monitors; CRT, LCD or plasma televisions.</p>	<p>hazardous materials used; recyclable content; design for environment and public education. (Art 4: 42465.2)</p> <ul style="list-style-type: none"> ○ Definition of “retailer” includes a manufacturer who sells directly to a consumer through a catalogue or Internet. (Art 2; 42463 r) ○ Definition of “retail sale” uses tax code that includes retailers with sales tax nexus in CA. (Art 2; 42463 s) ○ Retailers face financial penalties if found to be in non-compliance. Fines can total \$7,500 per offense. (Art 5: 42474 a-b) ○ Legislation has a process that allows for federal pre-emption. (Art 8: 42485a) 	
<p>CALIFORNIA A.B. 575</p> <p>Amendment to existing electronic waste law.</p>	<p>Retailer Responsibility</p> <p>Allows a retailer or vendor to pay the covered electronic waste fee established in the Electronic Waste Recycling Act of 2003 rather than requiring the retailer to pass the fee on to the consumer. Vendor is defined as a leasing agent.</p>	<ul style="list-style-type: none"> ○ A retailer may elect to pay the covered electronic waste recycling fee on behalf of the consumer. (§42464:2) ○ Takes immediate effect after being passed. (§5) ○ Treats Internet retailers and brick-and-mortar stores equally. (§1:r) ○ Applies to leasing agents 	<p>Introduced – 2/16/05</p> <p>Passed Senate July 1.</p> <p>Approved by Governor Schwarzenegger July 18, 2006.</p>



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BILL	TYPE OF LAW	SPECIFICS	STATUS
<p>ILLINOIS H.B. 1149</p> <p>Sponsor: Rep. John J. Millner (R)</p>	<p>Study Commission</p> <p>This bill commissions a study into effective means for recycling eScrap. The newly established Commission is to seek input from and consult with business organizations, trade organizations, trade associations, solid waste agencies, and environmental organizations with expertise in computer equipment disposal and recycling.</p>	<ul style="list-style-type: none"> ○ Establishes Computer Equipment Disposal and Recycling Commission. (§22.50.b) ○ CEDRC will investigate problems related to disposal and recycling of computer equipment, advise state agencies as to legislative actions, and make recommendations on pilot programs. (§22.50.c.1-3) ○ Report to the Governor, General Assembly and the Director of the EPA on May 31, 2007 regarding the effectiveness of a plan by December 31, 2008. (§22.50.d) 	<p>Introduced – 2/10/05</p> <p>Passed the Senate 5/20 and the House 5/24.</p> <p>Governor Blagojevich signed it on August 10, 2005.</p> <p>Takes effect on June 1, 2006</p>
<p>LOUISIANA S.C.R. 6</p>	<p>Study Commission</p> <p>This bill commissions a study into effective means for recycling e-waste, and how it should be funded.</p>	<ul style="list-style-type: none"> ○ The given deadline for the submission of a completed report with possible legislation is prior to the beginning of the 2006 legislature. 	<p>Introduced – 4/25/05</p> <p>Reported favorably from the Senate 5/18, reported favorably from the House 6/6.</p> <p>Signed by House and Senate Presidents 6/7.</p>



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BILL	TYPE OF LAW	SPECIFICS	STATUS
<p>MAINE L.D. 1892 Safe Collection and Recycling of Electronic Waste</p>	<p>Manufacturer Responsibility Bill Covered items: TVs and computer monitors, or anything with a display that is greater than 4” and contains a circuit board. (§2: Definitions C)</p>	<ul style="list-style-type: none"> ○ Manufacturers must present plans to the State Planning Office that detail how their products are to be collected & recycled or reused. (§6: Manufacturer plan and Reporting requirements A) ○ Manufacturers must clearly leave a mark on the TV or monitor for reclaiming purposes. (§4: Manufacturer Label Required) ○ The price of recycling is to be internalized and cannot be passed on to the consumer. (§6: Manufacturer plan and Reporting requirements A:5) ○ A retailer may not sell a covered device after 1/1/2006 whose manufacturer does not have an approved plan. (§3: Sales Prohibition) ○ After 1/1/2005, a retailer may not sell a covered device that does not have a permanent label, identifying the manufacturer, attached to it. (§4: Manufacturer Label Required) ○ Law does not differentiate between click-and-mortar and brick-and-mortar operations; therefore, online retailers may be able to avoid compliance. ○ There is no mention of retailer liability if a product is sold that is not covered 	<p>The bill passed in 2003. Signed into law by the Governor and took effect January 1, 2005.</p>



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		under an approved plan. Enforcement of this law falls in accordance with the provisions of §§347-A and 349. <ul style="list-style-type: none"> ○ There is no mention of federal preemption. 	
<p>MAINE L.D. 1840</p> <p>Sponsor: Rep. Christopher Babbidge</p>	<p>Cell Phone Recycling Bill</p>	<ul style="list-style-type: none"> ○ As of August 1, 2006 retailers and anyone who sells cell phones must have a take-back system in place for reuse, recycling or proper disposal ○ Retailers must accept a consumer’s old phone if they are purchasing a new one, or an old phone if it was purchased from the retailer. ○ Must be at no-cost to the consumer; retailer may require proof of purchase ○ Mechanisms must be in place for safe disposal of hazardous materials ○ Retailers must post an 8.5”x 11” notice stating “State law requires us to accept used cellular telephones for recycling in exchange for new cellular telephones purchased.” 	<p>Passed House 3/22/06; passed Senate 3/16/06</p> <p>Signed into law 3/27/06</p>
<p>MARYLAND H.B. 575</p> <p>Statewide</p>	<p>Manufacturer Responsibility Bill</p> <p>This bill would establish a county by county collection system, with the</p>	<ul style="list-style-type: none"> ○ A manufacturer must create-its own recycling program that must be approved. (§9-1727) ○ As of 1/1/06, a manufacturer may not 	<p>Introduced – 2/4/05</p> <p>CERC sent opposition letter to pre-amended bill</p>



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BILL	TYPE OF LAW	SPECIFICS	STATUS
<p>Computer Recycling Pilot Program</p>	<p>manufacturers being responsible for funding the program or creating their own plans.</p> <p>Covered items: Desktop computers, personal computers and laptops. (§9-1707:D)</p>	<p>sell a computer in the state if it has not “registered” with and submitted a registration fee to the Department of Environment. (§9-1727:B)</p> <ul style="list-style-type: none"> ○ Manufacturers pay an initial registration fee of \$5000. Each subsequent year that a manufacturer doesn’t have a take back plan they must also pay \$5000. If there is a take-back plan in place, the manufacturer pays only \$500. (§9-1728:C) 	<p>& worked toward its being amended to become a Manufacturer’s Responsibility bill.</p> <p>Signed by Governor Bob Ehrlich on 5/10/05 – Chapter 384 of Maryland State Statutes.</p>
<p>MINNESOTA H.F. 882</p> <p>Recovery and Recycling of Waste Electronic Products</p>	<p>Manufacturer Responsibility Bill</p> <p>The manufacturer must submit a plan for collection and recycling their products, and this plan must be approved</p> <p>Covered items: TVs, computer monitors, laptops, computers, printers, scanners, and other computer peripherals.</p>	<ul style="list-style-type: none"> ○ Citizens are not allowed to place any product with a CRT in with disposable solid waste. (Subdivision 2) ○ The cost of the recycling must be internalized and not passed on as an end-of-life fee. (Subdivision 3: 2) ○ Law explicitly mentions click-and-mortar and brick-and-mortar operations. (Subdivision 3) ○ Law will be enforced under §§115.071 and 116.072 (Subdivision 9) ○ Federal pre-emption: Law expires 30 days after a national program is implemented. (Subdivision 10) 	<p>Bill passed in 2003</p> <p>Only Subdivision 2, the landfill ban, passed and was signed by the Governor, and took effect on 7/1/2005.</p>



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BILL	TYPE OF LAW	SPECIFICS	STATUS
<p>WASHINGTON SB 6428/HB 2662</p> <p>Sponsors: Sen. Pridemore and Rep. B. Sullivan</p> <p><i>Supercedes Study Commission law: ESHB 2488 passed in May 2004</i></p>	<p>Manufacturer Responsibility Bill</p> <p>Covered items: Desktop, laptop and portable computers, computer monitors and TVs</p>	<ul style="list-style-type: none"> ○ Manufacturers must register by Jan. 1, 2007 with the Department of Ecology and pay annual fee ○ Manufacturers must participate in an approved independent or the standard plan to collect, transport and recycle electronics. Plan must be in effect by Jan. 1, 2009 ○ Manufacturers must report annually to the Department the total weight of electronics by pound per county, among other information ○ Manufacturers must collect an equivalent return share percentage of covered electronics ○ Labeling requirements for manufacturers; retailers must give info. on recycling to consumers 	<p>Introduced Jan 11-12, 2006</p> <p>Committees: Senate Water, Energy and Environment, House Natural Resources, Ecology and Parks; Senate Ways and Means Committee</p> <p>Senate Environment Committee hearing 1/17/06: RadioShack, HP, WA Retail Association, Amazon, Goodwill, WA Environmental Council, Panasonic, Sony, Sharp & others testified.</p> <p>Additional Hearings:</p> <ul style="list-style-type: none"> ● Ways and Means Committee 2/1/06 ● House Natural Resources, Ecology and Parks Committee 2/16/06;



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BILL	TYPE OF LAW	SPECIFICS	STATUS
			Passed Senate 2/8/06 Appropriations Committee; Rules Committee – Passed March 7, 2006 Governor signed it into law on March 24, 2006.

For additional information, please contact: Marc Pearl, Executive Director, Consumer Electronics Retailers Coalition (CERC)
 919 18th St. NW, Suite 925 | Washington, DC 20006 – (202) 464-4000
Pearl@ceretailers.org | <http://www.ceretailers.org>



Consumer Electronic Product Recycling – [Federal Legislative Initiatives](#) – 109th Congress, 2nd Session – 2006

BILL INFORMATION	SUMMARY	SPECIFICS	RELATION TO CERC PRINCIPLES	CURRENT STATUS
<p>S. 510/H.R. 4316 <i>Electronic Waste Recycling Promotion and Consumer Protection Act</i></p> <p>Sponsors: Sens. Ron Wyden (D-OR), James Talent (R-MO), Rep. Juanita Millender-McDonald (D-CA)</p>	<p>Recycler Responsibility bill (Current versions also include a consumer tax credit incentive).</p> <p><i>Covered Items:</i> Display Screens (CRT, Flat panel, or video display device larger than 4”) (§3:5A) and the System Unit (computer hardware contained within a case that weighs more than 2 pounds) (§3:8 A-C)</p>	<ul style="list-style-type: none"> Recyclers receive an \$8 tax credit (§4) Consumers will receive a \$15 tax credit for recycling 1 or more qualified units. (§5: §25C:a) Within a year after the enactment the EPA will publish a report to Congress regarding the feasibility of a permanent national recycling program. (§9) 	<ul style="list-style-type: none"> Will <u>not</u> pre-empt existing state laws at the time of enactment. 	<p>S 510 introduced and referred to the Senate Finance Committee 3/3/05.</p> <p>CERC testified at Senate Environmental Committee Hearing on S510 – Summer 2005. Two hearings were also held in House Energy & Commerce Committee/Hazardous Substance Subcommittee in Summer 2005 at which CERC also testified.</p> <p>H.R. 4316 introduced and referred to the House Ways and Means, Energy and Commerce & Government Reform Committees 11/14/05.</p>
<p>H.R. 425 <i>National Computer Recycling Act</i></p> <p>Sponsors: Reps. Mike Thompson (D-CA) and Louise McIntosh Slaughter (D-NY)</p>	<p>POS ARF bill</p> <p>The Environmental Protection Agency will be responsible for collection of recyclable material, as well oversee the administration of the ARF.</p> <p><i>Covered Items:</i> computers, CPU’s, and monitors. (§3:b2)</p>	<ul style="list-style-type: none"> ARF fee cannot exceed \$10 (§3:b3) Retailers will receive 3% of the fee for administrative costs. (§3:c) The EPA has authority to expand the scope of covered items. (§3:f) 	<ul style="list-style-type: none"> Bill mentions both click-and-mortar and brick-and-mortar retail operations. Does not mention if it supersedes preexisting state laws. Explicitly states that the ARF will be uniform for all covered items. (§3:b2) 	<p>Bill was introduced and referred to the Committee on Energy and Commerce on January 26, 2005.</p> <p>Reps. Thompson & Slaughter announced at the formation of the eWaste Congressional Working Group in Spring 2005 that they are not wedded to this or any other eWaste bill, and want Congress to</p>



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BILL INFORMATION	SUMMARY	SPECIFICS	RELATION TO CERC PRINCIPLES	CURRENT STATUS
				<p>further study and debate the issue.</p> <p>Currently: 28 cosponsors</p>
<p>H.CON.RES.299</p> <p>Sponsors: Reps. Mike Thompson (D-CA), Mary Bono (R-CA), Louise McIntosh Slaughter (D-NY)</p>	<p>Call to have Congress itself implement a ‘reuse, recycling & appropriate disposal program’ for unwanted electronics.</p> <p>Bipartisan “Sense of Congress “resolution” introduced by eWaste Congressional Working Group</p>	<p>Expresses the Sense of Congress that Congressional leaders and legislative offices should work together to establish and implement a coordinated program for the reuse, recycling and appropriate disposal of obsolete computers and electronic equipment used by legislative branch offices.</p>		<p>Introduced November 15, 2005 and referred to House Administration Committee.</p>
<p>H.R. 320</p> <p><i>Tax Incentive to Encourage Recycling Act of 2005 or “TIER Act of 2005”</i></p> <p>Sponsor: Former Rep. Duke Cunningham (R-CA)</p> <p><i>In “limbo” due to Rep. Cunningham’s resignation.</i></p>	<p>Manufacturer Responsibility Bill</p> <p>Manufacturers receive a tax credit for each product they recycle.</p> <p><i>Covered Items:</i> CPUs, monitors, printers, mouse and keyboards, televisions, and cell phones. (§45J:c)</p>	<ul style="list-style-type: none"> • Manufacturers who recycle receive a tax credit. (§45J) • A \$4 credit is given for all items except mouse and keyboard, and cell phones. (§45J:c) • Effective the fiscal year following its approval by the Congress (§45J:d) 	<ul style="list-style-type: none"> • Bill does not mention retailers. • Does not mention if it supersedes preexisting state laws. 	<p>Bill referred to the Committee on Ways and Means on January 25, 2005.</p> <p>Currently: 2 cosponsors</p>