

1 S.77

2 Introduced by Senators Lyons, Hartwell and MacDonald

3 Referred to Committee on

4 Date:

5 Subject: Conservation; electronics; e-waste

6 Statement of purpose: This bill proposes to require manufacturers of certain
7 electronics to implement and fund a system for the collection and recycling of
8 electronic devices.

9 An act relating to the disposal of electronic waste

10 It is hereby enacted by the General Assembly of the State of Vermont:

11 Sec. 1. LEGISLATIVE FINDINGS

12 The general assembly finds:

13 (1) According to the U.S. Environmental Protection Agency, discarded
14 computers, computer monitors, televisions, and other consumer electronics—
15 collectively referred to as e-waste—are the fastest growing portion of the waste
16 stream growing by approximately eight percent from 2004 to 2005.

17 (2) Televisions and computers are prevalent in modern society and
18 contribute significantly to the waste generated in Vermont.

1 (3) Televisions, computers, laptop computers, and computer monitors
2 contain lead, mercury, and other hazardous substances that pose a threat to
3 human health and the environment if improperly disposed of at the end of the
4 useful life of these products.

5 (4) The state of Vermont has committed to providing its citizens with a
6 safe and healthy environment and has actively undertaken efforts such as
7 mercury reduction programs to reduce the potential for contamination.

8 (5) The recycling of televisions and computers protects public health
9 and the environment by reducing the potential for the release of heavy metals
10 and mercury from landfills into the environment, consistent with other state
11 initiatives, and also conserving valuable landfill space.

12 (6) The establishment of a system to provide for the collection and
13 recycling of electronic devices in Vermont is consistent with the state's duty to
14 protect the health, safety, and welfare of its citizens; maintain and enhance the
15 quality of the environment; conserve natural resources; prevent pollution of air,
16 water, and land; and stimulate economic growth.

17 Sec. 2. 10 V.S.A. chapter 166 is added to read:

18 CHAPTER 166. DISPOSAL OF ELECTRONIC DEVICES

19 § 7301. DEFINITIONS

20 For the purposes of this chapter, the following terms shall have the
21 following meanings:

1 (1) “Agency” means the agency of natural resources.

2 (2) “Cathode-ray tube” or “CRT” means a vacuum tube or picture tube
3 used to convert an electronic signal into a visual image.

4 (3) “Collection” means the aggregation of covered electronic devices
5 from households and includes all the activities up to the time the covered
6 electronic devices are delivered to a recycler.

7 (4) “Collector” means a public or private entity that receives covered
8 electronic devices from households and arranges for the delivery of the devices
9 to a recycler.

10 (5) “Computer” means a machine designed to manipulate data according
11 to a list of instructions known as a program and is generally known as a
12 desktop, laptop, or portable computer. “Computer” does not include computer
13 servers marketed to professional users.

14 (6) “Computer monitor” means a display device without a tuner that can
15 display pictures and sound and is used with a computer. “Computer monitor”
16 includes a laptop computer.

17 (7) “Covered electronic device” means computers; peripherals; video
18 display devices; personal electronics such as personal digital assistants and
19 personal music players; electronic game consoles; desktop printers, including
20 “all-in-one” machines with multiple functions such as print, fax, scan, or copy;
21 fax machines; cell phones; telephones; answering machines; videocassette

1 recorders; digital versatile disc players; digital converter boxes; stereo
2 equipment; and power supply cords (as used to charge electronic devices) that
3 are sold to a consumer.

4 (8) “Environmentally sensitive materials” means each of the following,
5 and any equipment or component destined for recycling or disposal, or any
6 aggregate material derived from end-of-life equipment or components (e.g.,
7 shredded, granulated, or mixed materials), whether destined for recycling or
8 disposal, containing any of the following:

9 (A) Mercury or PCBs, including fluorescent lamps;

10 (B) CRTs and leaded CRT-processed and -unprocessed CRT glass;

11 (C) Circuit boards (whole, shredded, or in any other form);

12 (D) Batteries; or

13 (E) Toner.

14 (9) “Household” means an occupant of a single, detached dwelling unit
15 or a single unit of a multiple dwelling unit located in this state who has used a
16 video display device at a dwelling unit primarily for personal use.

17 (10) “Manufacturer” means a person who:

18 (A) Has a physical presence and legal assets in the United States of
19 America and:

20 (i) Manufactures or manufactured a video display device under its
21 own brand or label;

1 (ii) Sells or sold under its own brand or label a video display
2 device produced by another supplier; or

3 (iii) Owns a brand that it licenses or licensed to another person for
4 use on a video display device; or

5 (B) Imports or imported a video display device into the United States
6 that is manufactured by a person without a presence in the United States.

7 (11) “Peripheral” means a keyboard, printer, or any other device sold
8 exclusively for external use with a computer that provides input or output into
9 or from a computer.

10 (12) “Program year” means the period from July 1 through June 30.

11 (13) “Recycler” means a person who accepts covered electronic devices
12 from households and collectors for the purpose of recycling. A person who
13 takes products solely for refurbishment or repair is not a recycler.

14 (14) “Recycling” means the process of collecting and preparing video
15 display devices or covered electronic devices for use in manufacturing
16 processes or for recovery of useable materials followed by delivery of such
17 materials for use. Recycling does not include destruction by incineration,
18 waste-to-energy incineration, or other such processes; land disposal; or reuse,
19 repair, or any other process through which video display devices or covered
20 electronic devices are returned to use in their original form.

1 (15) “Recycling credits” means the number of pounds of covered
2 electronic devices recycled by a manufacturer during a program year, less the
3 product of the number of pounds of video display devices sold during the same
4 program year, multiplied by the proportion of sales a manufacturer is required
5 to recycle. The calculation and uses of recycling credits are as specified in
6 section 7303 of this title.

7 (16) “Retailer” means a person who sells, rents, or leases to a household,
8 through sales outlets, catalogues, or the Internet, a video display device that is
9 not for resale in any form.

10 (17) “Rural area” means a city or town with a population of 2,000 or
11 fewer persons.

12 (18) “Television” means any telecommunications system or device that
13 can broadcast or receive moving pictures and sound over a distance and
14 includes a television tuner or a display device peripheral to a computer that
15 contains a television tuner.

16 (19) “Transporter” means a person or entity that moves covered
17 electronic devices from a collector to a recycler.

18 (20) “Video display device” means a unit capable of presenting images
19 electronically on a screen, with a viewable area greater than four inches when
20 measured diagonally, that are viewed by the user, and includes televisions,
21 computer monitors, laptop computers, cathode ray tubes, plasma displays,

1 liquid crystal displays, rear and front enclosed projection devices, and other
2 similar displays that may be developed. "Video display device" does not
3 include any of the following:

4 (A) a video display device that is part of a motor vehicle or any
5 component of a motor vehicle assembled by, or for, a vehicle manufacturer or
6 franchised dealer, including replacement parts for use in a motor vehicle;

7 (B) a video display device, including a touch-screen display, that is
8 functionally or physically part of a larger piece of equipment or is designed
9 and intended for use in an industrial, commercial, or retail setting.

10 (C) a video display device that is contained within a clothes washer,
11 clothes dryer, refrigerator, freezer, microwave oven, conventional oven or
12 range, dishwasher, room air conditioner, dehumidifier, or air purifier; or

13 (D) a telephone of any type unless it contains a video display area
14 greater than nine inches when measured diagonally.

15 § 7302. REGISTRATION PROGRAM

16 (a) Requirements for sale.

17 (1) On or after July 1, 2010, a manufacturer must not sell or offer for
18 sale or deliver to retailers for subsequent sale a new video display device
19 unless:

20 (A) the video display device is labeled with the manufacturer's
21 brand, which label is permanently affixed and readily visible; and

1 (B) the manufacturer has filed a registration with the agency, as
2 specified in section 7303 of this title.

3 (2) On or after July 1, 2010, a retailer who sells or offers for sale a new
4 video display device to a household must, before the initial offer of sale,
5 review the agency website specified in section 7303 of this title to determine
6 that all new video display devices that the retailer is offering for sale are
7 labeled with the manufacturer's brands that are registered with the agency.

8 (3) A retailer is not responsible for an unlawful sale under this
9 subdivision if the manufacturer's registration expired or was revoked, the
10 retailer took possession of the video display device prior to the expiration or
11 revocation of the manufacturer's registration, and the unlawful sale occurred
12 within six months after the expiration or revocation.

13 (b) Manufacturer registration.

14 (1) A manufacturer of video display devices sold or offered for sale after
15 July 1, 2010 must submit a registration to the agency that includes:

16 (A) a list of the manufacturer's brands of video display devices
17 offered for sale in this state;

18 (B) the name, address, and contact information of a person
19 responsible for ensuring compliance with this chapter; and

20 (C) a certification that the manufacturer has complied and will
21 continue to comply with the requirements of this chapter.

1 (2) A manufacturer who begins to sell or offer for sale video display
2 devices to households after July 1, 2010 and has not filed a registration under
3 this subdivision must submit a registration to the agency within ten days of
4 beginning to sell or offer for sale video display devices.

5 (3) A registration must be updated within ten days after a change in the
6 manufacturer's brands of video display devices sold or offered for sale.

7 (4) A registration is effective upon receipt by the agency and is valid
8 until July 1 of each year.

9 (5) The agency must review each registration and notify the
10 manufacturer of any information required by this title that is omitted from the
11 registration. Within 30 days of receipt of a notification from the agency, the
12 manufacturer must submit a revised registration providing the information
13 noted by the agency.

14 (6) The agency must maintain on its website the names of manufacturers
15 and the manufacturers' brands listed in registrations filed with the agency. The
16 agency must update the website information within 10 days of receipt of a new
17 or updated registration. The website must contain prominent language stating,
18 in effect, that this chapter is directed at household equipment, and the
19 manufacturers' brands list is, therefore, not a list of manufacturers qualified to
20 sell to industrial, commercial, or other markets identified as exempt from the
21 requirements of this chapter.

1 (c) Collector and transporter registration. After July 1, 2010, no person
2 may operate as a collector or transporter of covered electronic devices unless
3 that person has submitted a registration with the agency on a form prescribed
4 by the secretary. A registration is effective upon receipt by the agency and is
5 valid until July 1 of each year. Collectors and transporters will comply with
6 rules as established by the agency.

7 (d) Recycler registration. After July 1, 2010, no person may recycle
8 covered electronic devices unless that person has submitted a registration with
9 the agency on a form prescribed by the commissioner. Registration
10 information must include the name, address, telephone number, and location of
11 all recycling facilities under the direct control of the recycler that may receive
12 covered electronic devices. A registration is effective upon receipt by the
13 agency and is valid until July 1 of each year.

14 § 7303. MANUFACTURER'S REGISTRATION FEE; CREATION OF
15 ACCOUNT

16 (a) Registration fee.

17 (1) By July 1 of each year, all manufacturers who register under section
18 7302 of this title must pay to the agency an annual registration fee. The
19 commissioner must deposit the fee into the account established by this section.

20 (2) The registration fee for the initial program year during which a
21 manufacturer's video display devices are sold is \$5,000.00. Each year

1 thereafter, the registration fee is equal to a base of \$5,000.00, plus a variable
2 recycling fee calculated according to the formula in subdivision (3) of this
3 subsection.

4 (3) Using quantities from the preceding program year, the variable
5 recycling fee shall be an amount equal to the pounds required to have been
6 recycled under this chapter minus the pounds reported recycled, multiplied by
7 the estimated per-pound cost of recycling. The variable recycling fee shall be
8 calculated according to the formula—variable recycling fee = ((A × B) –
9 (C + D)) × E, where:

10 (A) A = the number of pounds of a manufacturer's video display
11 device sold during the previous program year, as reported to the agency under
12 section 7305 of this title;

13 (B) B = the proportion of sales of video display devices required to
14 be recycled, set at 0.6 for the first program year and at 0.8 for the second
15 program year and every year thereafter;

16 (C) C = the number of pounds of covered electronic devices recycled
17 by a manufacturer during the previous program year, as reported to the agency
18 under section 7305 of this title;

19 (D) D = the number of recycling credits a manufacturer elects to use
20 during the current program year to calculate the variable recycling fee, as
21 reported to the agency under section 7305 of this title; and

1 (E) E = the estimated per-pound cost of recycling used to calculate
2 the variable recycling fee, initially set at \$0.50 per pound for manufacturers
3 who recycle less than 50 percent of the product required to be recycled under
4 this chapter (A × B); \$0.40 per pound for manufacturers who recycle at least
5 50 percent but less than 90 percent of the product required to be recycled under
6 this chapter (A × B); and \$0.30 per pound for manufacturers who recycle at
7 least 90 percent of the product required to be recycled under this chapter
8 (A × B).

9 (4) For the purpose of calculating the variable recycling fee for a given
10 year, a manufacturer may carry recycling credits forward from any of the three
11 preceding program years to be added, in whole or in part, to the number of
12 pounds reported recycled. Recycling credits are created when the number of
13 pounds reported recycled exceeds the number of pounds required to have been
14 recycled under this chapter according to the formula: credit = C – (A × B),
15 where A, B, and C are defined as in subdivision (3) of this subsection. A
16 manufacturer may sell any portion of its recycling credits to another
17 manufacturer, at a price negotiated by the parties, who may use the credits in
18 the same manner and may carry recycling credits forward from any of the three
19 preceding program years.

20 (5) For the purpose of calculating a manufacturer's variable recycling
21 fee under subdivision (2) of this subsection, the weight of covered tested and

1 working electronic devices collected and donated for reuse or collected in rural
2 areas is calculated at 1.5 × their actual weight. Donations of covered
3 electronics must be free of charge to any nonprofit corporation qualifying
4 under Section 501(c)(3) of the Internal Revenue Code. To qualify for the
5 donation credits under this subdivision, manufacturers must ensure the delivery
6 of a covered electronic device that:

7 (A) is no older than six years old;

8 (B) where applicable, has a functioning operating system;

9 (C) is in full working condition; and

10 (D) has been approved in writing for donation by the recipient.

11 (6) The registration fee for the initial program year and the base
12 registration fee thereafter for a manufacturer who produces fewer than 100
13 video display devices for sale annually is \$1,250.00.

14 (b) Creation of electronic waste management fund. The electronic waste
15 management fund is established in the state treasury pursuant to subchapter 5
16 of chapter 7 of Title 32. The fund shall be administered by the department of
17 environmental conservation to implement the programs authorized by this
18 chapter. The fund shall consist of the fees collected under subsection (a) of
19 this section and any gifts, donations, and appropriations by the general
20 assembly. All balances in the fund at the end of any fiscal year shall be carried

1 forward and remain part of the fund. Interest earned by the fund shall be
2 deposited in the fund.

3 § 7304. REPORTING REQUIREMENTS

4 (a) Manufacturer's reporting requirements.

5 (1) By July 1 of each year, beginning July 1, 2011, each manufacturer
6 must report to the agency the total weight of each specific model of its video
7 display devices sold during the previous program year; along with either:

8 (A) the total weight of its video display devices sold during the
9 previous program year; or

10 (B) an estimate of the total weight of its video display devices sold
11 during the previous program year based on national sales data. A manufacturer
12 must submit with the report required under this subsection a description of how
13 the information or estimate was calculated.

14 (2) By July 1 of each year, beginning July 1, 2011, each manufacturer
15 must report to the agency the total weight of covered electronic devices the
16 manufacturer collected and recycled or arranged to have collected and recycled
17 during the preceding program year. If a manufacturer wishes to receive the
18 variable recycling rate of 1.5 for the covered electronic devices it recycles, the
19 manufacturer shall report separately the total weight of covered electronic
20 devices collected in the state and donated to a nonprofit organization as
21 specified in subdivision 7303(a)(5) of this title.

1 (3) By July 1 of each year, beginning July 1, 2011, each manufacturer
2 must report to the agency:

3 (A) the number of recycling credits the manufacturer has purchased
4 and sold during the preceding program year;

5 (B) the number of recycling credits possessed by the manufacturer
6 that the manufacturer elects to use in the calculation of its variable recycling
7 fee under this chapter; and

8 (C) the number of recycling credits the manufacturer retains at the
9 beginning of the current program year.

10 (b) Recycler's reporting requirements. By July 1 of each year, beginning
11 July 1, 2011, a recycler of covered electronic devices must report to the agency
12 the total weight of covered electronic devices recycled during the preceding
13 program year and must certify that the recycler has complied with subsection
14 7305(b) of this title.

15 (c) Collector's reporting requirements. By July 1 of each year, beginning
16 July 1, 2011, a collector of covered electronic devices must report to the
17 agency the total pounds of covered electronic devices collected and a list of all
18 recyclers to whom collectors delivered covered electronic devices.

19 § 7305. RESPONSIBILITIES

20 (a) Manufacturer's responsibilities. Manufacturers shall comply with the
21 following:

1 (1) A manufacturer shall annually recycle or arrange and pay for the
2 collection and recycling of an amount of covered electronic devices equal to
3 the total weight of its video display devices sold during the preceding program
4 year, multiplied by the proportion of sales of video display devices required to
5 be recycled as established by the agency under section 7306 of this title.
6 Manufacturers or entities they contract with may not charge fees at the time of
7 collecting the unwanted covered electronic devices if those devices will be
8 counted toward the manufacturer's recycling requirement.

9 (2) Manufacturers may only count covered electronic devices received
10 from households toward their recycling requirements listed under section 7303
11 of this title.

12 (3) A manufacturer must conduct and document due diligence
13 assessments of the collectors and recyclers with whom it contracts, including
14 an assessment of items specified under subsection (b) of this section. A
15 manufacturer is responsible for maintaining, for a period of three years,
16 documentation that all video display devices recycled, partially recycled, or
17 sent to downstream recycling operations comply with the requirements of
18 subsection (b) of this section. A manufacturer must provide documentation of
19 an audit of each recycler with whom it contracts.

1 (4) A manufacturer operating its own recycling program must
2 demonstrate that its programs are in compliance with the responsibilities
3 imposed upon recyclers under subsection (b) of this section.

4 (5) A manufacturer shall report to the agency the number of video
5 display devices by model sold in the state during the previous program year,
6 including documentation describing how that amount was calculated and a
7 certification that the amount is correct.

8 (6) A manufacturer shall provide the agency with contact information
9 for a person who can be contacted regarding the manufacturer's activities
10 under this chapter.

11 (b) Recycler's responsibilities. As part of the report submitted under
12 subsection 7304(b) of this title, recyclers participating in the state e-waste
13 recycling program by receiving e-waste that is being used toward meeting
14 annual recycling goals must provide to the agency a sworn certification that
15 their handling, processing, refurbishment, and recycling of covered electronic
16 devices:

17 (1) meet guidelines for environmentally sound management published
18 by the agency;

19 (2) comply with and ensure that all their downstream vendors comply
20 with all local, state, and federal regulations throughout final disposition, and

1 must not violate laws in importing and transit countries when exporting
2 environmentally sensitive materials;

3 (3) are licensed by all applicable governmental authorities; and

4 (4) possess liability insurance of not less than \$1,000,000.00 for
5 environmental releases, accidents, and other emergencies.

6 (c) Retailer's responsibilities. A retailer who sells new video display
7 devices shall provide information to customers describing where and how they
8 may recycle video display devices and advising them of opportunities and
9 locations for the convenient collection of video display devices for the purpose
10 of recycling. This requirement may be met by providing the agency's toll-free
11 number and website address. Retailers selling through catalogues or the
12 Internet may meet this requirement by including the information in a
13 prominent location on the retailer's website.

14 § 7306. AGENCY DUTIES

15 The agency shall:

16 (1) Administer this chapter.

17 (2) Establish procedures for:

18 (A) receipt and understanding of the registration statements and
19 certifications filed with the agency under this chapter; and

20 (B) making the statements and certifications easily available to
21 manufacturers, retailers, and members of the public.

1 (3) Collect the data submitted annually by each manufacturer on the
2 total weight of each specific model of video display device sold; the total
3 weight of video display devices sold; the total weight of covered electronic
4 devices collected which are recycled; and data on recycling credits, as required
5 under section 7304 of this title. The agency shall use this data to review each
6 manufacturer's annual registration fee to ensure that the fee was calculated
7 accurately according to the formula in section 7303 of this title.

8 (4) Annually review the value of the following variables that are part of
9 the formula used to calculate a manufacturer's annual registration fee under
10 section 7303 of this title. If the agency determines that any of these values
11 must be changed in order to improve the efficiency or effectiveness of the
12 activities regulated under this chapter or if the revenues in the account exceed
13 the amount that the agency determines is necessary, the agency shall submit
14 recommended changes to the senate and house committees on natural
15 resources and energy.

16 (5) Beginning in 2011, estimate by July 1 of each year each registered
17 manufacturer's sales of video display devices during the previous year, based
18 on data provided by a manufacturer on sales of video display devices,
19 including documentation describing how that amount was calculated and
20 certification that the amount is accurate.

1 (6) Beginning December 1, 2011, provide on or before December 1 of
2 each year a report to the secretary of administration and the senate and house
3 committees on natural resources and energy on the implementation of this
4 chapter. For each program year, the report must discuss the total weight of
5 covered electronic devices recycled and a summary of information in the
6 reports submitted by manufacturers, collectors, and recyclers under section
7 7304 of this title. The report must also discuss the various collection programs
8 used by manufacturers to collect covered electronic devices; information
9 regarding covered electronic devices that are being collected by persons other
10 than registered manufacturers, collectors, and recyclers; and information about
11 covered electronic devices, if any, being disposed of in landfills in this state.
12 The report must include a description of enforcement actions under this
13 chapter. The agency may include in its report other information received by
14 the agency regarding the implementation of this chapter.

15 (7) Promote public participation in the activities regulated under this
16 chapter through public education and outreach efforts.

17 (8) Enforce this chapter in the manner provided for in section 8003 of
18 this title. The agency may revoke a registration of a collector or recycler found
19 to have violated this chapter.

1 (9) Facilitate communications between counties, collection and
2 recycling centers, and manufacturers to ensure that manufacturers are aware of
3 video display devices available for recycling.

4 (10) Post on its website the contact information provided by each
5 manufacturer under section 7304 of this title.

6 (11) Establish guidelines for environmentally sound management of
7 consumer electronics, including specific requirements for collectors,
8 transporters, and processors.

9 (12) No later than July 1, 2010, adopt by rule environmentally sound
10 recycling and reuse practices for the recycling of covered electronic devices.

11 The rules shall:

12 (A) include recycling and reuse practices to be followed by
13 manufacturers subject to the requirements of this chapter;

14 (B) require manufacturers to implement compliance assurance
15 measures;

16 (C) include recycling and reuse practices that collectors, transporters,
17 and recyclers shall follow;

18 (D) require manufacturers to be responsible for ensuring that the
19 export of a covered electronic device that contains environmentally sensitive
20 materials does not violate laws in importing and transit countries;

1 (E) include environmental management standards for processors that
2 address minimum on-site hazards, worker protection, adequate controls for
3 covered electronic devices supposedly going for reuse, and specific due
4 diligence requirements for the downstream chain of custody of materials of
5 concern. The environmental management standards may allow the use of
6 accredited certification programs.

7 § 7307. OTHER RECYCLING PROGRAMS

8 A municipality or other public agency may not require households to use
9 public facilities to recycle their covered electronic devices to the exclusion of
10 other lawful programs available. A municipality and other public agencies are
11 encouraged to work with manufacturers to assist them in meeting their
12 recycling obligations under this chapter. Nothing in this chapter prohibits or
13 restricts the operation of any program recycling covered electronic devices in
14 addition to those provided by manufacturers or prohibits or restricts any
15 persons from receiving, collecting, transporting, or recycling covered
16 electronic devices, provided that those persons are registered under section
17 7302 of this title.

18 § 7308. ANTICOMPETITIVE CONDUCT

19 (a) A manufacturer that organizes collection or recycling under this section
20 is authorized to engage in anticompetitive conduct to the extent necessary to
21 plan and implement its chosen organized collection or recycling system and is

1 immune from liability under state laws relating to antitrust, restraint of trade,
2 unfair trade practices, and other regulation of trade or commerce.

3 (b) An organization of manufacturers, an individual manufacturer, and its
4 officers, members, employees, and agents who cooperate with a political
5 subdivision that organizes collection or recycling under this chapter are
6 authorized to engage in anticompetitive conduct to the extent necessary to plan
7 and implement the organized collection or recycling system, provided that the
8 political subdivision actively supervises the participation of each entity. An
9 organization, entity, or person covered by this subdivision is immune from
10 liability under state law relating to antitrust, restraint of trade, unfair trade
11 practices, and other regulation of trade or commerce.

12 § 7309. PURCHASING BY STATE AGENCIES

13 Beginning January 1, 2010, the department of buildings and general
14 services and all other state agencies and departments shall comply with the
15 requirements of this chapter when purchasing or acquiring video display
16 devices.

17 § 7310. MULTISTATE IMPLEMENTATION

18 The agency is authorized to participate in the establishment of a regional
19 multistate organization or compact to assist in carrying out the requirements of
20 this chapter.

1 § 7311. LIMITATIONS

2 If a federal law or combination of federal laws takes effect that are
3 applicable to all video display devices sold in the United States and establishes
4 a program for the collection and recycling or reuse of video display devices
5 that is applicable to all discarded video display devices, the agency will
6 evaluate whether these laws provide a solution that is equal to or better than
7 the program established under this chapter. The agency shall report its
8 findings to the general assembly.

9 § 7312. BAN ON PRISON LABOR

10 No facility that recycles covered electronic products, including downstream
11 recycling operations, shall use prison labor to recycle covered electronic
12 products.

13 § 7313. DISPOSAL BAN

14 No person shall place or dispose of any covered electronic device in any
15 solid waste disposal facility.

16 Sec. 3. EFFECTIVE DATE

17 This act shall take effect upon passage.