



Sen. Pamela J. Althoff

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1 AMENDMENT TO SENATE BILL 1417

2 AMENDMENT NO. _____. Amend Senate Bill 1417 by replacing
3 everything after the enacting clause with the following:

4 "ARTICLE 1. CONSUMER ELECTRONICS RECYCLING ACT

5 Section 1-1. Short title. This Act may be cited as the
6 Consumer Electronics Recycling Act. References in this Article
7 to "this Act" mean this Article.

8 Section 1-5. Definitions. As used in this Act:

9 "Agency" means the Illinois Environmental Protection
10 Agency.

11 "Best practices" means standards for collecting and
12 preparing items for shipment and recycling. "Best practices"
13 may include standards for packaging for transport, load size,
14 acceptable load contamination levels, non-CED items included
15 in a load, and other standards as determined under Section 1-85

1 of this Act. "Best practices" shall consider the desired intent
2 to preserve existing collection programs and relationships
3 when possible.

4 "Collector" means a person who collects residential CEDs at
5 any program collection site or one-day collection event and
6 prepares them for transport.

7 "Computer", often referred to as a "personal computer" or
8 "PC", means a desktop or notebook computer as further defined
9 below and used only in a residence, but does not mean an
10 automated typewriter, electronic printer, mobile telephone,
11 portable hand-held calculator, portable digital assistant
12 (PDA), MP3 player, or other similar device. "Computer" does not
13 include computer peripherals, commonly known as cables, mouse,
14 or keyboard. "Computer" is further defined as either:

15 (1) "Desktop computer", which means an electronic,
16 magnetic, optical, electrochemical, or other high-speed
17 data processing device performing logical, arithmetic, or
18 storage functions for general purpose needs that are met
19 through interaction with a number of software programs
20 contained therein, and that is not designed to exclusively
21 perform a specific type of logical, arithmetic, or storage
22 function or other limited or specialized application.
23 Human interface with a desktop computer is achieved through
24 a stand-alone keyboard, stand-alone monitor, or other
25 display unit, and a stand-alone mouse or other pointing
26 device, and is designed for a single user. A desktop

1 computer has a main unit that is intended to be
2 persistently located in a single location, often on a desk
3 or on the floor. A desktop computer is not designed for
4 portability and generally utilizes an external monitor,
5 keyboard, and mouse with an external or internal power
6 supply for a power source. Desktop computer does not
7 include an automated typewriter or typesetter; or

8 (2) "Notebook computer", which means an electronic,
9 magnetic, optical, electrochemical, or other high-speed
10 data processing device performing logical, arithmetic, or
11 storage functions for general purpose needs that are met
12 through interaction with a number of software programs
13 contained therein, and that is not designed to exclusively
14 perform a specific type of logical, arithmetic, or storage
15 function or other limited or specialized application.
16 Human interface with a notebook computer is achieved
17 through a keyboard, video display greater than 4 inches in
18 size, and mouse or other pointing device, all of which are
19 contained within the construction of the unit that
20 comprises the notebook computer; supplemental stand-alone
21 interface devices typically can also be attached to the
22 notebook computer. Notebook computers can use external,
23 internal, or batteries for a power source. Notebook
24 computer does not include a portable hand-held calculator,
25 or a portable digital assistant or similar specialized
26 device. A notebook computer has an incorporated video

1 display greater than 4 inches in size and can be carried as
2 one unit by an individual. A notebook computer is sometimes
3 referred to as a laptop computer.

4 (3) "Tablet computer", which means an electronic,
5 magnetic, optical, electrochemical, or other high-speed
6 data processing device performing logical, arithmetic, or
7 storage functions for general purpose needs that are met
8 through interaction with a number of software programs
9 contained therein, and that is not designed to exclusively
10 perform a specific type of logical, arithmetic, or storage
11 function or other limited or specialized application.
12 Human interface with a tablet computer is achieved through
13 a touch-screen and video display screen greater than 6
14 inches in size (all of which are contained within the unit
15 that comprises the tablet computer). Tablet computers may
16 use an external or internal power source. "Tablet computer"
17 does not include a portable hand-held calculator, a
18 portable digital assistant, or a similar specialized
19 device.

20 "Computer monitor" means an electronic device that is a
21 cathode-ray tube or flat panel display primarily intended to
22 display information from a computer and is used only in a
23 residence.

24 "County collection site" means a collection site owned or
25 operated by a county or operated by a third party on behalf of
26 a county.

1 "County recycling coordinator" means the individual who is
2 designated as the recycling coordinator for a county in a waste
3 management plan developed pursuant to the Solid Waste Planning
4 and Recycling Act.

5 "Covered electronic device" or "CED" means any computer,
6 computer monitor, television, printer, electronic keyboard,
7 facsimile machine, videocassette recorder, portable digital
8 music player that has memory capability and is battery powered,
9 digital video disc player, video game console, electronic
10 mouse, scanner, digital converter box, cable receiver,
11 satellite receiver, digital video disc recorder, or
12 small-scale server sold at retail and taken out of service from
13 a residence in this State. "Covered electronic device" does not
14 include any of the following:

15 (1) an electronic device that is a part of a motor
16 vehicle or any component part of a motor vehicle assembled
17 by or for a vehicle manufacturer or franchised dealer,
18 including replacement parts for use in a motor vehicle;

19 (2) an electronic device that is functionally or
20 physically part of a larger piece of equipment or that is
21 taken out of service from an industrial, commercial
22 (including retail), library checkout, traffic control,
23 kiosk, security (other than household security),
24 governmental, agricultural, or medical setting, including
25 but not limited to diagnostic, monitoring, or control
26 equipment; or

1 (3) an electronic device that is contained within a
2 clothes washer, clothes dryer, refrigerator, refrigerator
3 and freezer, microwave oven, conventional oven or range,
4 dishwasher, room air conditioner, dehumidifier, water
5 pump, sump pump, or air purifier. To the extent allowed
6 under federal and State laws and regulations, a CED that is
7 being collected, recycled, or processed for reuse is not
8 considered to be hazardous waste, household waste, solid
9 waste, or special waste.

10 "Manufacturer" means a person, or a successor in interest
11 to a person, under whose brand or label a CED is or was sold at
12 retail. For any CED sold at retail under a brand or label that
13 is licensed from a person who is a mere brand owner and who
14 does not sell or produce a CED, the person who produced the CED
15 or his or her successor in interest is the manufacturer. For
16 any CED sold at retail under the brand or label of both the
17 retail seller and the person that produced the CED, the person
18 that produced the CED, or his or her successor in interest, is
19 the manufacturer.

20 "Manufacturer clearinghouse" means a group of 2 or more
21 manufacturers, representing at least 50% of the manufacturers'
22 total obligations under this Act for a program year, that are
23 cooperating with one another to collectively establish and
24 operate an e-waste program for the purpose of complying with
25 this Act.

26 "Manufacturer e-waste program" means any program

1 established, financed, and operated by a manufacturer,
2 individually or as part of a manufacturer clearinghouse, to
3 transport and subsequently recycle, in accordance with the
4 requirements of this Act, residential CEDs collected at program
5 collection sites and one-day collection events in accordance
6 with best practices.

7 "Municipal joint action agency" means a municipal joint
8 action agency created under Section 3.2 of the
9 Intergovernmental Cooperation Act.

10 "One-day collection event" means a one-day event used as a
11 substitute for a program collection site pursuant to Section
12 1-15 of this Act.

13 "Person" means an individual, partnership, co-partnership,
14 firm, company, limited liability company, corporation,
15 association, joint stock company, trust, estate, political
16 subdivision, State agency, or any other legal entity; or a
17 legal representative, agent, or assign of that entity. "Person"
18 includes a unit of local government.

19 "Printer" means desktop printers, multifunction printer
20 copiers, and printer/fax combinations taken out of service from
21 a residence that are designed to reside on a work surface, and
22 include various print technologies, including without
23 limitation laser and LED (electrographic), ink jet, dot matrix,
24 thermal, and digital sublimation, and "multi-function" or
25 "all-in-one" devices that perform different tasks, including
26 without limitation copying, scanning, faxing, and printing.

1 Printers do not include floor-standing printers, printers with
2 optional floor stand, point of sale (POS) receipt printers,
3 household printers such as a calculator with printing
4 capabilities or label makers, or non-stand-alone printers that
5 are embedded into products that are not CEDs.

6 "Processing for reuse" means any method, technique, or
7 process by which CEDs or EEDs that would otherwise be disposed
8 of or discarded are instead separated, processed, and returned
9 to their original intended purposes or to other useful purposes
10 as electronic devices. "Processing for reuse" includes the
11 collection and transportation of CEDs or EEDs.

12 "Program collection site" means a physical location that is
13 included in a manufacturer e-waste program and at which
14 residential CEDs are collected and prepared for transport by a
15 collector during a program year in accordance with the
16 requirements of this Act. Except as otherwise provided in this
17 Act, "program collection" site does not include a retail
18 collection site.

19 "Program year" means a calendar year. The first program
20 year is 2019.

21 "Recycler" means any person who transports or subsequently
22 recycles residential CEDs that have been collected and prepared
23 for transport by a collector at any program collection site or
24 one-day collection event.

25 "Recycling" has the meaning provided under Section 3.380 of
26 the Environmental Protection Act. "Recycling" includes any

1 process by which residential CEDs that would otherwise be
2 disposed of or discarded are collected, separated, or processed
3 and returned to the economic mainstream in the form of raw
4 materials or products.

5 "Residence" means a dwelling place or home in which one or
6 more individuals live.

7 "Residential covered electronic device" or "residential
8 CED" means any covered electronic device taken out of service
9 from a residence in the State.

10 "Retail collection site" means a private sector collection
11 site operated by a retailer collecting on behalf of a
12 manufacturer.

13 "Retailer" means a person who first sells, through a sales
14 outlet, catalogue, or the Internet, a covered electronic device
15 at retail to an individual for residential use or any permanent
16 establishment primarily where merchandise is displayed, held,
17 stored, or offered for sale to the public.

18 "Sale" means any retail transfer of title for consideration
19 of title including, but not limited to, transactions conducted
20 through sales outlets, catalogs, or the Internet or any other
21 similar electronic means. "Sale" does not include financing or
22 leasing.

23 "Small-scale server" means a computer that typically uses
24 desktop components in a desktop form designed primarily to
25 serve as a storage host for other computers. To be considered a
26 small-scale server, a computer must: be designed in a pedestal,

1 tower, or other form that is similar to that of a desktop
2 computer so that all data processing, storage, and network
3 interfacing is contained within one box or product; be designed
4 to be operational 24 hours per day and 7 days per week; have
5 very little unscheduled downtime, such as on the order of hours
6 per year; be capable of operating in a simultaneous multi-user
7 environment serving several users through networked client
8 units; and be designed for an industry-accepted operating
9 system for home or low-end server applications.

10 "Television" means an electronic device (i) containing a
11 cathode-ray tube or flat panel screen the size of which is
12 greater than 4 inches when measured diagonally, (ii) that is
13 intended to receive video programming via broadcast, cable, or
14 satellite transmission or to receive video from surveillance or
15 other similar cameras, and (iii) that is used only in a
16 residence.

17 Section 1-10. Manufacturer e-waste program.

18 (a) For program year 2019 and each program year thereafter,
19 each manufacturer shall, individually or as part of a
20 manufacturer clearinghouse, provide a manufacturer e-waste
21 program to transport and subsequently recycle, in accordance
22 with the requirements of this Act, residential CEDs collected
23 at, and prepared for transport from, the program collection
24 sites and one-day collection events included in the program
25 during the program year.

1 (b) Each manufacturer e-waste program must include, at a
2 minimum, the following:

3 (1) satisfaction of the convenience standard described
4 in Section 1-15 of this Act;

5 (2) instructions for designated county recycling
6 coordinators and municipal joint action agencies to
7 annually file notice to participate in the program;

8 (3) transportation and subsequent recycling of the
9 residential CEDs collected at, and prepared for transport
10 from, the program collection sites and one-day collection
11 events included in the program during the program year; and

12 (4) submission of a report to the Agency, by January
13 31, 2020, and each January 31 thereafter, which includes:

14 (A) the total weight of all residential CEDs
15 transported from program collection sites and one-day
16 collection events throughout the State during the
17 preceding program year by CED category;

18 (B) the total weight of residential CEDs
19 transported from all program collection sites and
20 one-day collection events in each county in the State
21 during the preceding program year by CED category; and

22 (C) the total weight of residential CEDs
23 transported from all program collection sites and
24 one-day collection events in each county in the State
25 during that preceding program year and that was
26 recycled.

1 (c) The Agency shall make the instructions required under
2 paragraph (2) of subsection (b) available on the Agency's
3 website by December 1, 2017.

4 Section 1-15. Convenience standard for program collection
5 sites and one-day collection events.

6 (a) Beginning in 2019 each manufacturer e-waste program for
7 a program year must include, at a minimum, program collection
8 sites in the following quantities in counties that elect to
9 participate in the manufacturer e-waste program for the program
10 year:

11 (1) one program collection site in each county that has
12 elected to participate in the manufacturer e-waste program
13 for the program year and that has a population density that
14 is less than 250 individuals per square mile;

15 (2) two program collection sites in each county that
16 has elected to participate in the manufacturer e-waste
17 program for the program year and that has a population
18 density that is greater than or equal to 250 individuals
19 per square mile but less than 500 individuals per square
20 mile;

21 (3) three program collection sites in each county that
22 has elected to participate in the manufacturer e-waste
23 program for the program year and that has a population
24 density that is greater than or equal to 500 individuals
25 per square mile but less than 750 individuals per square

1 mile;

2 (4) four program collection sites in each county that
3 has elected to participate in the manufacturer e-waste
4 program for the program year and that has a population
5 density that is greater than or equal to 750 individuals
6 per square mile but less than 1,000 individuals per square
7 mile;

8 (5) five program collection sites in each county that
9 has elected to participate in the manufacturer e-waste
10 program for the program year and that has a population
11 density that is greater than or equal to 1,000 individuals
12 per square mile but less than 5,000 individuals per square
13 mile; and

14 (6) ten program collection sites in each county that
15 has elected to participate in the manufacturer e-waste
16 program for the program year and that has a population
17 density that is greater than or equal to 5,000 individuals
18 per square mile.

19 If a municipality with a population of over 1,000,000
20 residents notifies the program of the municipality's desire to
21 participate in the program, then that municipality shall
22 receive 15 program collection sites to be located in that
23 municipality in addition to county sites, which shall be
24 located outside of the municipality.

25 A designated county recycling coordinator may elect to
26 operate more than the required minimum number of collection

1 sites.

2 (b) Notwithstanding subsection (a) of this Section, the
3 county recycling coordinator for a county that elects to
4 participate in a manufacturer e-waste program may enter into a
5 written agreement with the operators of any manufacturer
6 e-waste program in order to do one or more of the following:

7 (1) to decrease the number of program collection sites
8 in the county for the program year;

9 (2) to substitute a program collection site in the
10 county with either (i) 4 one-day collection events in the
11 county or (ii) a different number of such events in the
12 county as may be provided in the written agreement;

13 (3) to substitute the location of a program collection
14 site in the county for the program year with another
15 location in the county; or

16 (4) to substitute the location of a one-day collection
17 in the county with another location in the county.

18 An agreement made pursuant to paragraphs (1) or (2) of this
19 subsection (b) shall be reduced to writing and included in the
20 manufacturer e-waste program plan as required under subsection
21 (a) of Section 1-25 of this Act.

22 (c) To facilitate the equitable allocation of covered
23 electronic device collection and recycling obligations among
24 manufacturers participating in a manufacturer e-waste program,
25 beginning November 1, 2018 and by November 1 of each year
26 thereafter, the Agency shall determine each manufacturer's

1 collection obligation for each CED category that takes into
2 account the market share of a manufacturer so that the
3 manufacturer's obligations are allocated based on the weight of
4 the manufacturer's sales in each CED category, divided by the
5 weight of all sales in each CED category multiplied by the
6 proportion of the weight of CEDs in each CED category collected
7 from county collection sites used in the manufacturer's e-waste
8 program in the prior program year. The manufacturer's
9 collection obligation calculated in this subsection (c) shall
10 be expressed as a percentage.

11 (d) Nothing in this Act shall prevent a manufacturer from
12 using retail collection sites to satisfy the manufacturer's
13 obligations under this Section.

14 Section 1-20. Election to participate in manufacturer
15 e-waste programs. Beginning with program year 2019, a county
16 may elect to participate in a manufacturer e-waste program by
17 having the county recycling coordinator file with the
18 manufacturer e-waste program and the Agency, on or before March
19 1, 2018, and on or before March 1 of each year thereafter for
20 the upcoming program year, a written notice of election to
21 participate in the program. The written notice shall include a
22 list of proposed collection locations likely to be available
23 and appropriate to support this program, and may include
24 locations already providing similar collection services. The
25 written notice may include a list of registered recyclers that

1 the county would prefer using for its collection sites or
2 one-day events.

3 County program coordinators may contract with registered
4 collectors to operate collection sites. Eligible registered
5 collectors are not limited to private companies and
6 non-government organizations. All collectors operating county
7 supervised programs shall abide by the standards in Section
8 1-45.

9 Should a county elect not to participate in the program, a
10 municipal joint action agency, representing residents within a
11 certain geographic area in the non-participating county can
12 elect to participate in the e-waste program on behalf of the
13 residents of the municipal joint action agency.

14 Section 1-25. Manufacturer e-waste program plans.

15 (a) By July 1, 2018, and by July 1 of each year thereafter
16 for the upcoming program year, beginning with program year
17 2019, each manufacturer shall, individually or as a
18 manufacturer clearinghouse, submit to the Agency a
19 manufacturer e-waste program plan and assume the financial
20 responsibility for bulk transportation, packaging materials
21 necessary to prepare shipments in compliance with best
22 practices, and recycling of collected CEDs, which includes, at
23 a minimum, the following:

24 (1) the contact information for the individual who will
25 serve as the point of contact for the manufacturer e-waste

1 program;

2 (2) the identity of each county that has elected to
3 participate in the manufacturer e-waste program during the
4 program year;

5 (3) for each county, the location of each program
6 collection site and one-day collection event included in
7 the manufacturer e-waste program for the program year;

8 (4) the collector operating each program collection
9 site and one-day collection event included in the
10 manufacturer e-waste program for the program year;

11 (5) the recyclers that manufacturers plan to use during
12 the program year to transport and subsequently recycle
13 residential CEDs under the program, with the updated list
14 of recyclers to be provided to the Agency no later than
15 December 1 preceding each program year; and

16 (6) an explanation of any deviation by the program from
17 the standard program collection site distribution set
18 forth in subsection (a) of Section 1-15 of this Act for the
19 program year, along with copies of all written agreements
20 made pursuant to paragraphs (1) or (2) of subsection (b) of
21 Section 1-15 for the program year.

22 (b) Within 60 days after receiving a manufacturer e-waste
23 program plan, the Agency shall review the plan and approve the
24 plan or disapprove the plan.

25 (1) If the Agency determines that the program
26 collection sites and one-day collection events specified

1 in the plan will satisfy the convenience standard set forth
2 in Section 1-15 of this Act, then the Agency shall approve
3 the manufacturer e-waste program plan and provide written
4 notification of the approval to the individual who serves
5 as the point of contact for the manufacturer. The Agency
6 shall post the approved plan on the Agency's website.

7 (2) If the Agency determines the plan will not satisfy
8 the convenience standard set forth in Section 1-15 of this
9 Act, then the Agency shall disapprove the manufacturer
10 e-waste program plan and provide written notification of
11 the disapproval and the reasons for the disapproval to the
12 individual who serves as the point of contact for the
13 manufacturer. Within 30 days after the date of disapproval,
14 the individual who serves as the point of contact for the
15 manufacturer shall submit a revised manufacturer e-waste
16 program plan that addresses the deficiencies noted in the
17 Agency's disapproval.

18 Section 1-30. Manufacturer registration.

19 (a) By April 1, 2018, and by April 1 of each year
20 thereafter for the upcoming program year, beginning with
21 program year 2019, each manufacturer who sells CEDs in the
22 State must register with the Agency by: (i) submitting to the
23 Agency a \$3,000 registration fee; and (ii) completing and
24 submitting to the Agency the registration form prescribed by
25 the Agency. Information on the registration form shall include,

1 without limitation, all of the following:

2 (1) a list of all of the brands and labels under which
3 the manufacturer's CEDs are sold or offered for sale in the
4 State;

5 (2) the weight of all televisions sold or offered for
6 sale under any of the manufacturer's brands or labels in
7 the United States during the calendar year 2 years before
8 the applicable program year;

9 (3) the weight of all desktop computers sold or offered
10 for sale under any of the manufacturer's brands or labels
11 in the United States during the calendar year 2 years
12 before the applicable program year;

13 (4) the weight of all desktop computer monitors sold or
14 offered for sale under any of the manufacturer's brands or
15 labels in the United States during the calendar year 2
16 years before the applicable program year;

17 (5) the weight of all small-scale servers sold or
18 offered for sale under any of the manufacturer's brands or
19 labels in the United States during the calendar year 2
20 years before the applicable program year; and

21 (6) the weight of all desktop printers sold or offered
22 for sale under any of the manufacturer's brands or labels
23 in the United States during the calendar year 2 years
24 before the applicable program year.

25 If, during a program year, any of the manufacturer's CEDs
26 are sold or offered for sale in the State under a brand that is

1 not listed in the manufacturer's registration, then, within 30
2 days after the first sale or offer for sale under that brand,
3 the manufacturer must amend its registration to add the brand.
4 All registration fees collected by the Agency pursuant to this
5 Section shall be deposited into the Solid Waste Management
6 Fund.

7 (b) The Agency shall post on its website a list of all
8 registered manufacturers.

9 (c) Beginning in program year 2019, a manufacturer whose
10 CEDs are sold or offered for sale in this State for the first
11 time on or after April 1 of a program year must register with
12 the Agency within 30 days after the date the CEDs are first
13 sold or offered for sale in the State.

14 (d) Beginning in program year 2019, manufacturers shall
15 ensure that only recyclers that have registered with the Agency
16 and meet the recycler standards set forth in Section 1-40 are
17 used to transport or recycle residential CEDs collected at any
18 program collection site or one-day collection event.

19 (e) Beginning in program year 2019, no manufacturer may
20 sell or offer for sale a CED in this State unless the
21 manufacturer is registered and operates a manufacturer program
22 either individually or as part of the manufacturer
23 clearinghouse as required in this Act.

24 (f) Beginning in program year 2019, no manufacturer may
25 sell or offer for sale a CED in this State unless the
26 manufacturer's brand name is permanently affixed to, and is

1 readily visible on, the CED.

2 Section 1-35. Retailer responsibilities.

3 (a) Beginning in program year 2019, no retailer who first
4 sells, through a sales outlet, catalogue, or the Internet, a
5 CED at retail to an individual for residential use may sell or
6 offer for sale any CED in or for delivery into this State
7 unless:

8 (1) the CED is labeled with a brand, and the label is
9 permanently affixed and readily visible; and

10 (2) the manufacturer is registered with the Agency at
11 the time the retailer purchases the CED.

12 (b) A retailer shall be considered to have complied with
13 paragraphs (1) and (2) of subsection (a) if:

14 (1) a manufacturer registers with the agency within 30
15 days of a retailer taking possession of the manufacturer's
16 CED;

17 (2) a manufacturer's registration expires and the
18 retailer ordered the CED prior to the expiration, in which
19 case the retailer may sell the CED, but only if the sale
20 takes place within 180 days of the expiration; or

21 (3) a manufacturer is no longer conducting business and
22 has no successor in interest the retailer may sell any
23 orphan CED ordered prior to the discontinuation of
24 business.

25 (c) Retailers shall not be considered collectors under the

1 convenience standard and retail collection sites shall not be
2 considered a collection site for the purposes of the
3 convenience standard pursuant to Sections 1-10, 1-15, and 1-25
4 unless otherwise agreed to in writing by the retailer,
5 operators of the manufacture e-waste program, and the county
6 coordinator. If retailers agree to participate in a county
7 program collection site, then the retailer collection site does
8 not have to collect all CEDs or register as a collector.

9 (d) Manufacturers may use retail collection sites for
10 satisfying some or all of their obligations pursuant to
11 Sections 1-10, 1-15 and 1-25.

12 (e) Nothing in this Act shall prohibit a retailer from
13 collecting a fee for each CED collected.

14 Section 1-40. Recycler responsibilities.

15 (a) By January 1, 2019, and by January 1 of each year
16 thereafter for that program year, beginning with program year
17 2019, each recycler must register with the Agency by (i)
18 submitting to the Agency a \$3,000 registration fee and (ii)
19 completing and submitting to the Agency the registration form
20 prescribed by the Agency. The registration form prescribed by
21 the Agency shall include, without limitation, the address of
22 each location where the recycler manages residential CEDs. All
23 registration fees collected by the Agency pursuant to this
24 Section shall be deposited into the Solid Waste Management
25 Fund.

1 (b) The Agency shall post on the Agency's website a list of
2 all registered recyclers and the information requested by
3 subsection (d) of Section 1-40.

4 (c) Beginning in program year 2019, no person may act as a
5 recycler of residential CEDs for a manufacturer's e-waste
6 program unless the recycler is registered with the Agency as
7 required under this Section.

8 (d) Beginning in program year 2019, recyclers must, at a
9 minimum, comply with all of the following:

10 (1) Recyclers must comply with federal, State, and
11 local laws and regulations, including federal and State
12 minimum wage laws, specifically relevant to the handling,
13 processing, and recycling of residential CEDs and must have
14 proper authorization by all appropriate governing
15 authorities to perform the handling, processing, and
16 recycling.

17 (2) Recyclers must implement the appropriate measures
18 to safeguard occupational and environmental health and
19 safety, through the following:

20 (A) environmental health and safety training of
21 personnel, including training with regard to material
22 and equipment handling, worker exposure, controlling
23 releases, and safety and emergency procedures;

24 (B) an up-to-date, written plan for the
25 identification and management of hazardous materials;
26 and

1 (C) an up-to-date, written plan for reporting and
2 responding to exceptional pollutant releases,
3 including emergencies such as accidents, spills,
4 fires, and explosions.

5 (3) Recyclers must maintain (i) commercial general
6 liability insurance or the equivalent corporate guarantee
7 for accidents and other emergencies with limits of not less
8 than \$1,000,000 per occurrence and \$1,000,000 aggregate
9 and (ii) pollution legal liability insurance with limits
10 not less than \$1,000,000 per occurrence for companies
11 engaged solely in the dismantling activities and
12 \$5,000,000 per occurrence for companies engaged in
13 recycling.

14 (4) Recyclers must maintain on file documentation that
15 demonstrates the completion of an environmental health and
16 safety audit completed and certified by a competent
17 internal and external auditor annually. A competent
18 auditor is an individual who, through professional
19 training or work experience, is appropriately qualified to
20 evaluate the environmental health and safety conditions,
21 practices, and procedures of the facility. Documentation
22 of auditors' qualifications must be available for
23 inspection by Agency officials and third-party auditors.

24 (5) Recyclers must maintain on file proof of workers'
25 compensation and employers' liability insurance.

26 (6) Recyclers must provide adequate assurance, such as

1 bonds or corporate guarantees, to cover environmental and
2 other costs of the closure of the recycler's facility,
3 including cleanup of stockpiled equipment and materials.

4 (7) Recyclers must apply due diligence principles to
5 the selection of facilities to which components and
6 materials, such as plastics, metals, and circuit boards,
7 from residential CEDs are sent for reuse and recycling.

8 (8) Recyclers must establish a documented
9 environmental management system that is appropriate in
10 level of detail and documentation to the scale and function
11 of the facility, including documented regular self-audits
12 or inspections of the recycler's environmental compliance
13 at the facility.

14 (9) Recyclers must use the appropriate equipment for
15 the proper processing of incoming materials as well as
16 controlling environmental releases to the environment. The
17 dismantling operations and storage of residential CED
18 components that contain hazardous substances must be
19 conducted indoors and over impervious floors. Storage
20 areas must be adequate to hold all processed and
21 unprocessed inventory. When heat is used to soften solder
22 and when residential CED components are shredded,
23 operations must be designed to control indoor and outdoor
24 hazardous air emissions.

25 (10) Recyclers must establish a system for identifying
26 and properly managing components, such as circuit boards,

1 batteries, cathode ray tubes, and mercury phosphor lamps,
2 that are removed from residential CEDs during disassembly.
3 Recyclers must properly manage all hazardous and other
4 components requiring special handling from residential
5 CEDs consistent with federal, State, and local laws and
6 regulations. Recyclers must provide visible tracking, such
7 as hazardous waste manifests or bills of lading, of
8 hazardous components and materials from the facility to the
9 destination facilities and documentation, such as
10 contracts, stating how the destination facility processes
11 the materials received. No recycler may send, either
12 directly or through intermediaries, hazardous wastes to
13 solid non-hazardous waste landfills or to non-hazardous
14 waste incinerators for disposal or energy recovery. For the
15 purpose of these guidelines, smelting of hazardous wastes
16 to recover metals for reuse in conformance with all
17 applicable laws and regulations is not considered disposal
18 or energy recovery.

19 (11) Recyclers must use a regularly implemented and
20 documented monitoring and record-keeping program that
21 tracks total inbound residential CED material weights and
22 total subsequent outbound weights to each destination,
23 injury and illness rates, and compliance with applicable
24 permit parameters including monitoring of effluents and
25 emissions. Recyclers must maintain contracts or other
26 documents, such as sales receipts, suitable to

1 demonstrate: (i) the reasonable expectation that there is a
2 downstream market or uses for designated electronics,
3 which may include recycling or reclamation processes such
4 as smelting to recover metals for reuse; and (ii) that any
5 residuals from recycling or reclamation processes, or
6 both, are properly handled and managed to maximize reuse
7 and recycling of materials to the extent practical.

8 (12) Recyclers must employ industry-accepted
9 procedures for the destruction or sanitization of data on
10 hard drives and other data storage devices. Acceptable
11 guidelines for the destruction or sanitization of data are
12 contained in the National Institute of Standards and
13 Technology's Guidelines for Media Sanitation or those
14 guidelines certified by the National Association for
15 Information Destruction.

16 (13) No recycler may employ prison labor in any
17 operation related to the collection, transportation, and
18 recycling of CEDs. No recycler may employ any third party
19 that uses or subcontracts for the use of prison labor.

20 (e) Each recycler shall, during each calendar year,
21 transport from each site that the recycler uses to manage
22 residential CEDs not less than 75% of the total weight of
23 residential CEDs present at the site during the preceding
24 calendar year. Each recycler shall maintain on-site records
25 that demonstrate compliance with this requirement and shall
26 make those records available to the Agency for inspection and

1 copying.

2 Nothing in this Act shall prevent a person from acting as a
3 recycler independently of a manufacturer e-waste program.

4 Section 1-45. Collector responsibilities.

5 (a) By January 1, 2019, and by January 1 of each year
6 thereafter for that program year, beginning with program year
7 2019, a person acting as a collector under a manufacturer
8 e-waste program shall register with the Agency by completing
9 and submitting to the Agency the registration form prescribed
10 by the Agency. The registration form prescribed by the Agency
11 must include, without limitation, the address of each location
12 at which the collector accepts residential CEDs.

13 (b) The Agency shall post on the Agency's website a list of
14 all registered collectors.

15 (c) Manufacturers and recyclers acting as collectors shall
16 so indicate on their registration under Section 1-30 or 1-40 of
17 this Act.

18 (d) By January 31, 2020 and every January 31 thereafter,
19 each collector that operates a program collection site or
20 one-day collection event shall report its previous program year
21 data on CEDs collected to the Agency and manufacturer
22 clearinghouse to assist in satisfying a manufacturer's
23 obligation pursuant to subsection (c) of Section 1-15.

24 (e) Each collector that operates a program collection site
25 or one-day event shall ensure that the collected CEDs are

1 sorted and loaded in compliance with local, State, and federal
2 law and in accordance with best practices recommended by the
3 recycler and Section 1-85 of this Act. In addition, at a
4 minimum, the collector shall also comply with the following
5 requirements:

6 (1) all CEDs must be accepted at the collection site or
7 one-day event unless otherwise provided in this Act;

8 (2) CEDs shall be kept separate from other material and
9 shall be:

10 (A) packaged in a manner to prevent breakage; and

11 (B) loaded onto pallets and secured with plastic
12 wrap or in pallet-sized bulk containers prior to
13 shipping; and

14 (C) on average per collection site 18,000 pounds
15 per shipment, and if not then the recycler may charge
16 the collector a prorated charge on the shortfall in
17 weight, not to exceed \$600.

18 (3) CEDs shall be sorted into the following categories:

19 (A) computer monitors and televisions containing a
20 cathode ray tube, other than televisions with wooden
21 exteriors;

22 (B) computer monitors and televisions containing a
23 flat panel screen;

24 (C) all other covered televisions;

25 (D) computers;

26 (E) all other CEDs; and

1 (F) any electronic device that is not part of the
2 manufacturer program that the collector has arranged
3 to have picked up with CEDs and for which a financial
4 arrangement has been made to cover the recycling costs
5 outside of the manufacturer program; and

6 (4) containers holding the CEDs must be structurally
7 sound for transportation.

8 (e) Except as provided in subsection (f) of this Section,
9 each collector that operates a program collection site or
10 one-day collection event during a program year shall accept all
11 residential CEDs that are delivered to the program collection
12 site or one-day collection event during the program year.

13 (f) No collector that operates a program collection site or
14 one-day collection event shall accept more than 7 residential
15 CEDs from an individual at any one time.

16 (g) Beginning in program year 2019, registered collectors
17 participating in county supervised collection programs may
18 collect a fee, for each desktop computer monitor or television
19 accepted for recycling to cover costs for collection and
20 preparation for bulk shipment or cover cost for subsection (e)
21 of Section 1-45.

22 (h) Nothing in this Act shall prevent an individual from
23 acting as a collector independently of a manufacturer e-waste
24 program.

25 Section 1-50. Penalties.

1 (a) Except as otherwise provided in this Act, any person
2 who violates any provision of this Act is liable for a civil
3 penalty of \$1,000 for the violation.

4 (b) The penalties provided for in this Section may be
5 recovered in a civil action brought in the name of the people
6 of the State of Illinois by the State's Attorney of the county
7 in which the violation occurred or by the Attorney General. Any
8 penalties collected under this Section in an action in which
9 the Attorney General has prevailed shall be deposited in the
10 Environmental Protection Trust Fund, to be used in accordance
11 with the provisions of the Environmental Trust Fund Act.

12 (c) The Attorney General or the State's Attorney of a
13 county in which a violation occurs may institute a civil action
14 for an injunction, prohibitory or mandatory, to restrain
15 violations of this Act or to require such actions as may be
16 necessary to address violations of this Act.

17 (d) A fine imposed by administrative citation pursuant to
18 Section 1-55 of this Act shall be \$1,000 per violation, plus
19 any hearing costs incurred by the Illinois Pollution Control
20 Board and the Agency. Such fines shall be made payable to the
21 Environmental Protection Trust Fund to be used in accordance
22 with the Environmental Protection Trust Fund Act.

23 (e) The penalties and injunctions provided in this Act are
24 in addition to any penalties, injunctions, or other relief
25 provided under any other law. Nothing in this Act bars a cause
26 of action by the State for any other penalty, injunction, or

1 other relief provided by any other law.

2 Section 1-55. Administrative citations.

3 (a) Any violation of a registration requirement in Sections
4 1-30, 1-40, or 1-45 of this Act, any violation of the reporting
5 requirement in paragraph (4) of subsection (b) of Section 1-10
6 of this Act, and any violation of the plan submission
7 requirement in subsection (a) of Section 1-25 of this Act shall
8 be enforceable by administrative citation issued by the Agency.
9 Whenever Agency personnel shall, on the basis of direct
10 observation, determine that any person has violated any of
11 those provisions, the Agency may issue and serve, within 60
12 days after the observed violation, an administrative citation
13 upon that person. Each citation shall be served upon the person
14 named or the person's authorized agent for service of process
15 and shall include the following:

16 (1) a statement specifying the provisions of this Act
17 that the person has violated;

18 (2) the penalty imposed under subsection (d) of Section
19 1-50 of this Act for that violation; and

20 (3) an affidavit by the personnel observing the
21 violation, attesting to their material actions and
22 observations.

23 (b) If the person named in the administrative citation
24 fails to petition the Illinois Pollution Control Board for
25 review within 35 days after the date of service, then the Board

1 shall adopt a final order, which shall include the
2 administrative citation and findings of violation as alleged in
3 the citation and shall impose the penalty specified in
4 subsection (d) of Section 1-50 of this Act.

5 (c) If a petition for review is filed with the Board to
6 contest an administrative citation issued under this Section,
7 then the Agency shall appear as a complainant at a hearing
8 before the Board to be conducted pursuant to subsection (d) of
9 this Section at a time not less than 21 days after notice of
10 the hearing has been sent by the Board to the Agency and the
11 person named in the citation. In those hearings, the burden of
12 proof shall be on the Agency. If, based on the record, the
13 Board finds that the alleged violation occurred, then the Board
14 shall adopt a final order, which shall include the
15 administrative citation and findings of violation as alleged in
16 the citation, and shall impose the penalty specified in
17 subsection (d) of Section 1-50 of this Act. However, if the
18 Board finds that the person appealing the citation has shown
19 that the violation resulted from uncontrollable circumstances,
20 then the Board shall adopt a final order that makes no finding
21 of violation and imposes no penalty.

22 (d) All hearings under this Section shall be held before a
23 qualified hearing officer, who may be attended by one or more
24 members of the Board, designated by the Chairman. All of these
25 hearings shall be open to the public, and any person may submit
26 written statements to the Board in connection with the subject

1 of these hearings. In addition, the Board may permit any person
2 to offer oral testimony. Any party to a hearing under this
3 Section may be represented by counsel, make oral or written
4 argument, offer testimony, cross-examine witnesses, or take
5 any combination of those actions. All testimony taken before
6 the Board shall be recorded stenographically. The transcript so
7 recorded and any additional matter accepted for the record
8 shall be open to public inspection, and copies of those
9 materials shall be made available to any person upon payment of
10 the actual cost of reproducing the original.

11 Section 1-60. Delegation of county rights and
12 responsibilities to municipal joint action agency. If a county
13 has delegated to a municipal joint action agency certain powers
14 or responsibilities under Section 3.2 of the Intergovernmental
15 Cooperation Act with respect to certain geographic areas of the
16 county, then the executive director of the municipal joint
17 action agency shall have, with respect to those geographic
18 areas, the rights and responsibilities that this Act would
19 otherwise afford to the county. If a county elects not to
20 participate in the program, then a municipal joint action
21 agency representing residents within the geographic area of the
22 municipal joint action agency can elect to participate in the
23 program.

24 Section 1-65. Relation to other State laws. Nothing in this

1 Act affects the validity or application of any other law of
2 this State, or regulations adopted thereunder.

3 Section 1-75. CRT Retrievable Storage. In order to further
4 the policy of the State to reduce the environmental and
5 economic impacts of transporting and managing cathode-ray tube
6 (CRT) glass, and to support (i) the beneficial use of CRTs in
7 accordance with beneficial use determinations issued by the
8 Agency under Section 22.54 of the Environmental Protection Act
9 and (ii) the storage of CRTs in retrievable storage cells at
10 locations within the State for future recovery; for the purpose
11 of this Act, a CRT shall be considered to be recycled if:

12 (1) all recyclable components are removed from the
13 device; and

14 (2) the glass from the device is either:

15 (A) beneficially reused in accordance with a
16 beneficial use determination issued under Section
17 22.54 of the Environmental Protection Act; or

18 (B) placed in a storage cell, in a manner that
19 allows it to be retrieved in the future, at a waste
20 disposal site that is permitted to accept the glass.

21 Section 1-80. Collection of CEDs outside of the
22 manufacturer e-waste program.

23 (a) Nothing in this Act prohibits a waste hauler from
24 entering into a contractual agreement with a unit of local

1 government to establish a collection program for the recycling
2 or reuse of CEDs, including services such as curbside
3 collection, home pick-up, drop-off locations, or similar
4 methods of collection.

5 (b) Nothing in this Act shall prohibit a person from
6 establishing an e-waste program independently of a
7 manufacturer e-waste program.

8 Section 1-83. Landfill ban.

9 (a) Beginning January 1, 2019, no person may knowingly
10 cause or allow the mixing of a CED, or any other computer,
11 computer monitor, printer, television, electronic keyboard,
12 facsimile machine, videocassette recorder, portable digital
13 music player, digital video disc player, video game console,
14 electronic mouse, scanner, digital converter box, cable
15 receiver, satellite receiver, digital video disc recorder, or
16 small-scale server with municipal waste that is intended for
17 disposal at a landfill.

18 (b) Beginning January 1, 2019, no person may knowingly
19 cause or allow the disposal of a CED or any other computer,
20 computer monitor, printer, television, electronic keyboard,
21 facsimile machine, videocassette recorder, portable digital
22 music player, digital video disc player, video game console,
23 electronic mouse, scanner, digital converter box, cable
24 receiver, satellite receiver, digital video disc recorder, or
25 small-scale server in a sanitary landfill.

1 (c) Beginning January 1, 2019, no person may knowingly
2 cause or allow the mixing of a CED, or any other computer,
3 computer monitor, printer, television, electronic keyboard,
4 facsimile machine, videocassette recorder, portable digital
5 music player, digital video disc player, video game console,
6 electronic mouse, scanner, digital converter box, cable
7 receiver, satellite receiver, digital video disc recorder, or
8 small-scale server with waste that is intended for disposal by
9 burning or incineration.

10 (d) Beginning January 1, 2019, no person may knowingly
11 cause or allow the burning or incineration of a CED, or any
12 other computer, computer monitor, printer, television,
13 electronic keyboard, facsimile machine, videocassette
14 recorder, portable digital music player, digital video disc
15 player, video game console, electronic mouse, scanner, digital
16 converter box, cable receiver, satellite receiver, digital
17 video disc recorder, or small-scale server.

18 (e) The Provisions of Section 1-50 of this Act do not apply
19 to this Section.

20 Section 1-85. Best practices. By November 1, 2018 and
21 November 1 of each year thereafter, an advisory stakeholder
22 group shall submit a document, to be approved annually by a
23 majority of the stakeholder group, of agreed-to best practices
24 to be used in the following program year and made available on
25 the Agency website. The best practices stakeholder group shall

1 be made up of 8 members, appointed by the Director of the
2 Agency, including 2 representatives of county programs, 2
3 representatives of recycling companies, 2 representatives from
4 the manufacturing industry, one representative from a
5 statewide trade association representing retailers, one
6 representative of a statewide trade association representing
7 manufacturers, one representative of a statewide trade
8 association representing waste disposal companies, and one
9 representative of a national trade association representing
10 manufacturers.

11 Section 1-86. Public Reporting. Each year, the Agency shall
12 post on its website the information it receives pursuant to
13 subdivision (b)(4) of Section 1-10 showing the amounts of
14 residential CEDs being collected and recycled in each county in
15 each program year. The Agency shall notify the General Assembly
16 of the availability of this information.

17 Section 1-90. Repeal. This Article is repealed on December
18 31, 2026.

19 ARTICLE 5. AMENDATORY PROVISIONS

20 (30 ILCS 105/5.716 rep.)

21 Section 5-5. The State Finance Act is amended by repealing
22 Section 5.716.

1 Section 5-10. The Environmental Protection Act is amended
2 by changing Section 22.15 as follows:

3 (415 ILCS 5/22.15) (from Ch. 111 1/2, par. 1022.15)

4 Sec. 22.15. Solid Waste Management Fund; fees.

5 (a) There is hereby created within the State Treasury a
6 special fund to be known as the "Solid Waste Management Fund",
7 to be constituted from the fees collected by the State pursuant
8 to this Section, ~~and~~ from repayments of loans made from the
9 Fund for solid waste projects, from registration fees collected
10 pursuant to the Consumer Electronics Recycling Act, and from
11 amounts transferred into the Fund pursuant to this amendatory
12 Act of the 100th General Assembly. Moneys received by the
13 Department of Commerce and Economic Opportunity in repayment of
14 loans made pursuant to the Illinois Solid Waste Management Act
15 shall be deposited into the General Revenue Fund.

16 (b) The Agency shall assess and collect a fee in the amount
17 set forth herein from the owner or operator of each sanitary
18 landfill permitted or required to be permitted by the Agency to
19 dispose of solid waste if the sanitary landfill is located off
20 the site where such waste was produced and if such sanitary
21 landfill is owned, controlled, and operated by a person other
22 than the generator of such waste. The Agency shall deposit all
23 fees collected into the Solid Waste Management Fund. If a site
24 is contiguous to one or more landfills owned or operated by the

1 same person, the volumes permanently disposed of by each
2 landfill shall be combined for purposes of determining the fee
3 under this subsection.

4 (1) If more than 150,000 cubic yards of non-hazardous
5 solid waste is permanently disposed of at a site in a
6 calendar year, the owner or operator shall either pay a fee
7 of 95 cents per cubic yard or, alternatively, the owner or
8 operator may weigh the quantity of the solid waste
9 permanently disposed of with a device for which
10 certification has been obtained under the Weights and
11 Measures Act and pay a fee of \$2.00 per ton of solid waste
12 permanently disposed of. In no case shall the fee collected
13 or paid by the owner or operator under this paragraph
14 exceed \$1.55 per cubic yard or \$3.27 per ton.

15 (2) If more than 100,000 cubic yards but not more than
16 150,000 cubic yards of non-hazardous waste is permanently
17 disposed of at a site in a calendar year, the owner or
18 operator shall pay a fee of \$52,630.

19 (3) If more than 50,000 cubic yards but not more than
20 100,000 cubic yards of non-hazardous solid waste is
21 permanently disposed of at a site in a calendar year, the
22 owner or operator shall pay a fee of \$23,790.

23 (4) If more than 10,000 cubic yards but not more than
24 50,000 cubic yards of non-hazardous solid waste is
25 permanently disposed of at a site in a calendar year, the
26 owner or operator shall pay a fee of \$7,260.

1 (5) If not more than 10,000 cubic yards of
2 non-hazardous solid waste is permanently disposed of at a
3 site in a calendar year, the owner or operator shall pay a
4 fee of \$1050.

5 (c) (Blank).

6 (d) The Agency shall establish rules relating to the
7 collection of the fees authorized by this Section. Such rules
8 shall include, but not be limited to:

9 (1) necessary records identifying the quantities of
10 solid waste received or disposed;

11 (2) the form and submission of reports to accompany the
12 payment of fees to the Agency;

13 (3) the time and manner of payment of fees to the
14 Agency, which payments shall not be more often than
15 quarterly; and

16 (4) procedures setting forth criteria establishing
17 when an owner or operator may measure by weight or volume
18 during any given quarter or other fee payment period.

19 (e) Pursuant to appropriation, all monies in the Solid
20 Waste Management Fund shall be used by the Agency and the
21 Department of Commerce and Economic Opportunity for the
22 purposes set forth in this Section and in the Illinois Solid
23 Waste Management Act, including for the costs of fee collection
24 and administration, and for the administration of (1) the
25 Consumer Electronics Recycling Act and (2) until January 1,
26 2020, the Electronic Products Recycling and Reuse Act.

1 (f) The Agency is authorized to enter into such agreements
2 and to promulgate such rules as are necessary to carry out its
3 duties under this Section and the Illinois Solid Waste
4 Management Act.

5 (g) On the first day of January, April, July, and October
6 of each year, beginning on July 1, 1996, the State Comptroller
7 and Treasurer shall transfer \$500,000 from the Solid Waste
8 Management Fund to the Hazardous Waste Fund. Moneys transferred
9 under this subsection (g) shall be used only for the purposes
10 set forth in item (1) of subsection (d) of Section 22.2.

11 (h) The Agency is authorized to provide financial
12 assistance to units of local government for the performance of
13 inspecting, investigating and enforcement activities pursuant
14 to Section 4(r) at nonhazardous solid waste disposal sites.

15 (i) The Agency is authorized to support the operations of
16 an industrial materials exchange service, and to conduct
17 household waste collection and disposal programs.

18 (j) A unit of local government, as defined in the Local
19 Solid Waste Disposal Act, in which a solid waste disposal
20 facility is located may establish a fee, tax, or surcharge with
21 regard to the permanent disposal of solid waste. All fees,
22 taxes, and surcharges collected under this subsection shall be
23 utilized for solid waste management purposes, including
24 long-term monitoring and maintenance of landfills, planning,
25 implementation, inspection, enforcement and other activities
26 consistent with the Solid Waste Management Act and the Local

1 Solid Waste Disposal Act, or for any other environment-related
2 purpose, including but not limited to an environment-related
3 public works project, but not for the construction of a new
4 pollution control facility other than a household hazardous
5 waste facility. However, the total fee, tax or surcharge
6 imposed by all units of local government under this subsection
7 (j) upon the solid waste disposal facility shall not exceed:

8 (1) 60¢ per cubic yard if more than 150,000 cubic yards
9 of non-hazardous solid waste is permanently disposed of at
10 the site in a calendar year, unless the owner or operator
11 weighs the quantity of the solid waste received with a
12 device for which certification has been obtained under the
13 Weights and Measures Act, in which case the fee shall not
14 exceed \$1.27 per ton of solid waste permanently disposed
15 of.

16 (2) \$33,350 if more than 100,000 cubic yards, but not
17 more than 150,000 cubic yards, of non-hazardous waste is
18 permanently disposed of at the site in a calendar year.

19 (3) \$15,500 if more than 50,000 cubic yards, but not
20 more than 100,000 cubic yards, of non-hazardous solid waste
21 is permanently disposed of at the site in a calendar year.

22 (4) \$4,650 if more than 10,000 cubic yards, but not
23 more than 50,000 cubic yards, of non-hazardous solid waste
24 is permanently disposed of at the site in a calendar year.

25 (5) \$650 if not more than 10,000 cubic yards of
26 non-hazardous solid waste is permanently disposed of at the

1 site in a calendar year.

2 The corporate authorities of the unit of local government
3 may use proceeds from the fee, tax, or surcharge to reimburse a
4 highway commissioner whose road district lies wholly or
5 partially within the corporate limits of the unit of local
6 government for expenses incurred in the removal of
7 nonhazardous, nonfluid municipal waste that has been dumped on
8 public property in violation of a State law or local ordinance.

9 A county or Municipal Joint Action Agency that imposes a
10 fee, tax, or surcharge under this subsection may use the
11 proceeds thereof to reimburse a municipality that lies wholly
12 or partially within its boundaries for expenses incurred in the
13 removal of nonhazardous, nonfluid municipal waste that has been
14 dumped on public property in violation of a State law or local
15 ordinance.

16 If the fees are to be used to conduct a local sanitary
17 landfill inspection or enforcement program, the unit of local
18 government must enter into a written delegation agreement with
19 the Agency pursuant to subsection (r) of Section 4. The unit of
20 local government and the Agency shall enter into such a written
21 delegation agreement within 60 days after the establishment of
22 such fees. At least annually, the Agency shall conduct an audit
23 of the expenditures made by units of local government from the
24 funds granted by the Agency to the units of local government
25 for purposes of local sanitary landfill inspection and
26 enforcement programs, to ensure that the funds have been

1 expended for the prescribed purposes under the grant.

2 The fees, taxes or surcharges collected under this
3 subsection (j) shall be placed by the unit of local government
4 in a separate fund, and the interest received on the moneys in
5 the fund shall be credited to the fund. The monies in the fund
6 may be accumulated over a period of years to be expended in
7 accordance with this subsection.

8 A unit of local government, as defined in the Local Solid
9 Waste Disposal Act, shall prepare and distribute to the Agency,
10 in April of each year, a report that details spending plans for
11 monies collected in accordance with this subsection. The report
12 will at a minimum include the following:

13 (1) The total monies collected pursuant to this
14 subsection.

15 (2) The most current balance of monies collected
16 pursuant to this subsection.

17 (3) An itemized accounting of all monies expended for
18 the previous year pursuant to this subsection.

19 (4) An estimation of monies to be collected for the
20 following 3 years pursuant to this subsection.

21 (5) A narrative detailing the general direction and
22 scope of future expenditures for one, 2 and 3 years.

23 The exemptions granted under Sections 22.16 and 22.16a, and
24 under subsection (k) of this Section, shall be applicable to
25 any fee, tax or surcharge imposed under this subsection (j);
26 except that the fee, tax or surcharge authorized to be imposed

1 under this subsection (j) may be made applicable by a unit of
2 local government to the permanent disposal of solid waste after
3 December 31, 1986, under any contract lawfully executed before
4 June 1, 1986 under which more than 150,000 cubic yards (or
5 50,000 tons) of solid waste is to be permanently disposed of,
6 even though the waste is exempt from the fee imposed by the
7 State under subsection (b) of this Section pursuant to an
8 exemption granted under Section 22.16.

9 (k) In accordance with the findings and purposes of the
10 Illinois Solid Waste Management Act, beginning January 1, 1989
11 the fee under subsection (b) and the fee, tax or surcharge
12 under subsection (j) shall not apply to:

13 (1) Waste which is hazardous waste; or

14 (2) Waste which is pollution control waste; or

15 (3) Waste from recycling, reclamation or reuse
16 processes which have been approved by the Agency as being
17 designed to remove any contaminant from wastes so as to
18 render such wastes reusable, provided that the process
19 renders at least 50% of the waste reusable; or

20 (4) Non-hazardous solid waste that is received at a
21 sanitary landfill and composted or recycled through a
22 process permitted by the Agency; or

23 (5) Any landfill which is permitted by the Agency to
24 receive only demolition or construction debris or
25 landscape waste.

26 (Source: P.A. 97-333, eff. 8-12-11.)

1 Section 5-15. The Electronic Products Recycling and Reuse
2 Act is amended by changing Sections 15, 20, 30, 40, 50, 55, 60,
3 and 85 and by adding Section 100 as follows:

4 (415 ILCS 150/15)

5 Sec. 15. Statewide recycling and reuse goals for all
6 covered electronic devices.

7 (a) For program year 2010, the statewide recycling or reuse
8 goal for all CEDs is the product of: (i) the latest population
9 estimate for the State, as published on the U.S. Census
10 Bureau's website on January 1, 2010; multiplied by (ii) 2.5
11 pounds per capita.

12 (b) For program year 2011, the statewide recycling or reuse
13 goal for all CEDs is the product of: (i) the 2010 base weight;
14 multiplied by (ii) the 2010 goal attainment percentage.

15 For the purposes of this subsection (b):

16 The "2010 base weight" means the greater of: (i) twice the
17 total weight of all CEDs that were recycled or processed for
18 reuse between January 1, 2010 and June 30, 2010 as reported to
19 the Agency under subsection (i) or (j) of Section 30; or (ii)
20 twice the total weight of all CEDs that were recycled or
21 processed for reuse between January 1, 2010 and June 30, 2010
22 as reported to the Agency under subsection (c) of Section 55.

23 The "2010 goal attainment percentage" means:

24 (1) 90% if the 2010 base weight is less than 90% of the

1 statewide recycling or reuse goal for program year 2010;

2 (2) 95% if the 2010 base weight is 90% or greater, but
3 does not exceed 95%, of the statewide recycling or reuse
4 goal for program year 2010;

5 (3) 100% if the 2010 base weight is 95% or greater, but
6 does not exceed 105%, of the statewide recycling or reuse
7 goal for program year 2010;

8 (4) 105% if the 2010 base weight is 105% or greater,
9 but does not exceed 110%, of the statewide recycling or
10 reuse goal for program year 2010; and

11 (5) 110% if the 2010 base weight is 110% or greater of
12 the statewide recycling or reuse goal for program year
13 2010.

14 (c) For program year 2012 and for each of the following
15 categories of electronic devices, each manufacturer shall
16 recycle or reuse at least 40% of the total weight of the
17 electronic devices that the manufacturer sold in that category
18 in Illinois during the calendar year beginning January 1, 2010:
19 computers, monitors, televisions, printers, electronic
20 keyboards, facsimile machines, video cassette recorders,
21 portable digital music players, digital video disc players,
22 video game consoles, electronic mice, scanners, digital
23 converter boxes, cable receivers, satellite receivers, digital
24 video disc recorders, and small-scale servers. To determine the
25 manufacturer's annual recycling or reuse goal, the
26 manufacturer shall use its own Illinois sales data or its own

1 national sales data proportioned to Illinois' share of the U.S.
2 population, based on the U.S. Census population estimate for
3 2009.

4 (c-5) For program year 2013 and program year 2014 and for
5 each of the following categories of electronic devices, each
6 manufacturer shall recycle or reuse at least 50% of the total
7 weight of the electronic devices that the manufacturer sold in
8 that category in Illinois during the calendar year 2 years
9 before the applicable program year: computers, monitors,
10 televisions, printers, electronic keyboards, facsimile
11 machines, video cassette recorders, portable digital music
12 players, digital video disc players, video game consoles,
13 electronic mice, scanners, digital converter boxes, cable
14 receivers, satellite receivers, digital video disc recorders,
15 and small-scale servers.

16 To determine the manufacturer's annual recycling or reuse
17 goal, the manufacturer shall use its own Illinois sales data or
18 its own national sales data proportioned to Illinois' share of
19 the U.S. population, based on the most recent U.S. Census data.

20 (c-6) For program year 2015, the total annual recycling
21 goal for all manufacturers shall be as follows:

22 (1) 30,800,000 pounds for manufacturers of televisions
23 and computer monitors; and

24 (2) 15,800,000 pounds for manufacturers of all other
25 covered electronic devices.

26 For program year 2016 and program year 2017 and program

1 year 2018, the total annual recycling goal for all
2 manufacturers shall be as follows:

3 (1) 34,000,000 pounds for manufacturers of televisions
4 and computer monitors; and

5 (2) 15,600,000 pounds for manufacturers of all other
6 covered electronic devices.

7 An individual manufacturer's annual recycling goal for
8 televisions, computer monitors, and all other covered
9 electronic devices shall be in proportion to the manufacturer's
10 market share of those product types sold in Illinois during the
11 calendar year 2 years before the applicable program year.

12 ~~For program year 2018 and thereafter, and for each of the~~
13 ~~following categories of electronic devices, each manufacturer~~
14 ~~shall recycle or reuse at least 50% of the total weight of the~~
15 ~~electronic devices that the manufacturer sold in that category~~
16 ~~in Illinois during the calendar year 2 years before the~~
17 ~~applicable program year: computers, monitors, televisions,~~
18 ~~printers, electronic keyboards, facsimile machines, video~~
19 ~~cassette recorders, portable digital music players, digital~~
20 ~~video disc players, video game consoles, electronic mice,~~
21 ~~scanners, digital converter boxes, cable receivers, satellite~~
22 ~~receivers, digital video disc recorders, and small-scale~~
23 ~~servers.~~

24 ~~To determine the manufacturer's annual recycling or reuse~~
25 ~~goal for program year 2018 and thereafter, the manufacturer~~
26 ~~shall use its own Illinois sales data or its own national sales~~

1 ~~data proportioned to Illinois' share of the U.S. population,~~
2 ~~based on the most recent U.S. census data.~~

3 (d) In order to further the policy of the State of Illinois
4 to reduce the environmental and economic impacts of
5 transporting and managing cathode-ray tube (CRT) glass, and to
6 support (i) the beneficial use of CRTs in accordance with
7 beneficial use determinations issued by the Agency under
8 Section 22.54 of the Environmental Protection Act and (ii) the
9 storage of CRTs in retrievable storage cells at locations
10 within the State for future recovery, the total weight of a CRT
11 device, prior to processing, may be applied toward the
12 manufacturer's annual recycling or reuse goal, provided that:

13 (1) all recyclable components are removed from the
14 device; and

15 (2) the glass from the device is either:

16 (A) beneficially reused in accordance with a
17 beneficial use determination issued under Section
18 22.54 of the Environmental Protection Act; or

19 (B) placed in a storage cell, in a manner that
20 allows it to be retrieved in the future, at a waste
21 disposal site that is permitted to accept the glass.

22 (Source: P.A. 99-13, eff. 7-10-15.)

23 (415 ILCS 150/20)

24 Sec. 20. Agency responsibilities.

25 (a) The Agency has the authority to monitor compliance with

1 this Act, enforce violations of the Act by administrative
2 citation, and refer violations of this Act to the Attorney
3 General.

4 (b) No later than October 1 of each program year, through
5 October 1, 2017, the Agency shall post on its website a list of
6 underserved counties in the State for the next program year.
7 The list of underserved counties for program years 2010 and
8 2011 is set forth in subsection (a) of Section 60.

9 (c) From July 1, 2009 until December 31, 2015, the Agency
10 shall implement a county and municipal government education
11 campaign to inform those entities about this Act and the
12 implications on solid waste collection in their localities.

13 (c-5) Subject to appropriation, no ~~no~~ later than February
14 1, 2012 and every February 1 thereafter, through February 1,
15 2018, the Agency shall use a portion of the manufacturer,
16 recycler, and refurbisher registration fees to provide a \$2,000
17 grant to the recycling coordinator in each county of the State
18 in order to inform residents in each county about this Act and
19 opportunities to recycle CEDs and EEDs. The recycling
20 coordinator shall expend the \$2,000 grant before December 31 of
21 the program year in which the grant is received. The recycling
22 coordinator shall maintain records that document the use of the
23 grant funds.

24 (c-10) By June 15, 2012 and by December 15, 2012, and by
25 every June 15 and December 15 thereafter through December 15,
26 2015, the Agency shall meet with associations that represent

1 Illinois retail merchants twice each year to discuss compliance
2 with Section 40.

3 (c-15) By December 15, 2012 and each December 15
4 thereafter, through December 15, 2018, the Agency shall post on
5 its website: (i) the mailing address of each collection site at
6 which collectors collected CEDs and EEDs during the program
7 year and (ii) the amount in pounds of total CEDs and total EEDs
8 collected at the collection site during the program year.

9 (d) By July 1, 2011 for the first program year, and by May
10 15 for all subsequent program years, except for program years
11 2015, 2016, ~~and~~ 2017, and 2018, the Agency shall report to the
12 Governor and to the General Assembly annually on the previous
13 program year's performance. The report must be posted on the
14 Agency's website. The report must include, but not be limited
15 to, the following:

16 (1) the total overall weight of CEDs, as well as the
17 sub-total weight of computers, the sub-total weight of
18 computer monitors, the sub-total weight of printers, the
19 sub-total weight of televisions, and the total weight of
20 EEDs that were recycled or processed for reuse in the State
21 during the program year, as reported by manufacturers and
22 collectors under Sections 30 and 55;

23 (2) a listing of all collection sites, as set forth
24 under subsection (a) of Section 55, and the addresses of
25 those sites;

26 (3) a statement showing, for the preceding program

1 year, (i) the total weight of CEDs and EEDs collected,
2 recycled, and processed for reuse by the manufacturers
3 pursuant to Section 30, (ii) the total weight of CEDs
4 processed for reuse by the manufacturers, and (iii) the
5 total weight of CEDs collected by the collectors;

6 (4) a listing of all entities or persons to whom the
7 Agency issued an administrative citation or with respect to
8 which the Agency made a referral for enforcement to the
9 Attorney General's Office as a result of a violation of
10 this Act;

11 (5) a discussion of the Agency's education and outreach
12 activities as set forth in subsection (c) of this Section;
13 and

14 (6) a discussion of the penalties, if any, incurred by
15 manufacturers for failure to achieve recycling goals, and a
16 recommendation to the General Assembly of any necessary or
17 appropriate changes to the manufacturers' recycling goals
18 or penalty provisions included in this Act.

19 For program years 2015, 2016, ~~and 2017,~~ and 2018, the
20 Agency shall make available on its website the information
21 described in paragraphs (1) through (6) in whatever format it
22 deems appropriate.

23 (e) Through program year 2018, the ~~The~~ Agency shall post on
24 its website: (1) a list of manufacturers that have paid the
25 current year's registration fee as set forth in subsection (b)
26 of Section 30; (2) a list of manufacturers that failed to pay

1 the current year's registration fee as set forth in subsection
2 (b) of Section 30; and (3) a list of registered collectors, the
3 addresses of their collection sites, their business telephone
4 numbers, and a link to their websites.

5 (f) In program years 2012, 2013, and 2014, and at its
6 discretion thereafter, the Agency shall convene and host an
7 Electronic Products Recycling Conference. The Agency may host
8 the conferences alone or with other public entities or with
9 organizations associated with electronic products recycling.

10 (g) No later than October 1 of each program year, through
11 October 1, 2017, the Agency must post on its website the
12 following information for the next program year: (i) the
13 individual recycling and reuse goals for each manufacturer, as
14 set forth in subsections (c) and (c-5) of Section 15, as
15 applicable, and (ii) the total statewide recycling goal,
16 determined by adding each individual manufacturer's annual
17 goal.

18 (h) By April 1, 2011, and by April 1 of all subsequent
19 years, through April 1, 2019, the Agency shall award those
20 manufacturers that have met or exceeded their recycling or
21 reuse goals for the previous program year with an Electronic
22 Industry Recycling Award. The award shall acknowledge that the
23 manufacturer has met or exceeded its recycling goals and shall
24 be posted on the Agency website and in other media as
25 appropriate.

26 (i) By March 1, 2011, and by March 1 of each subsequent

1 year, through March 1, 2019, the Agency shall post on its
2 website a list of registered manufacturers that have not met
3 their annual recycling and reuse goal for the previous program
4 year.

5 (j) By July 1, 2015, the Agency shall solicit written
6 comments regarding all aspects of the program codified in this
7 Act, for the purpose of determining if the program requires any
8 modifications.

9 (1) Issues to be reviewed by the Agency are, but not
10 limited to, the following:

11 (A) Sufficiency of the annual statewide recycling
12 goals.

13 (B) Fairness of the formulas used to determine
14 individual manufacturer goals.

15 (C) Adequacy of, or the need for, continuation of
16 the credits outlined in Section 30(d)(1) through (3).

17 (D) Any temporary rescissions of county landfill
18 bans granted by the Illinois Pollution Control Board
19 pursuant to Section 95(e).

20 (E) Adequacy of, or the need for, the penalties
21 listed in Section 80 of this Act, which are scheduled
22 to take effect on January 1, 2013.

23 (F) Adequacy of the collection systems that have
24 been implemented as a result of this Act, with a
25 particular focus on promoting the most cost-effective
26 and convenient collection system possible for Illinois

1 residents.

2 (2) By July 1, 2015, the Agency shall complete its
3 review of the written comments received, as well as its own
4 reports on the preceding program years. By August 1, 2015,
5 the Agency shall hold a public hearing to present its
6 findings and solicit additional comments. All additional
7 comments shall be submitted to the Agency in writing no
8 later than October 1, 2015.

9 (3) The Agency's final report, which shall be issued no
10 later than February 1, 2016, shall be submitted to the
11 Governor and the General Assembly and shall include
12 specific recommendations for any necessary or appropriate
13 modifications to the program.

14 (k) Through December 31, 2019, any ~~Any~~ violation of this
15 Act shall be enforceable by administrative citation. Whenever
16 the Agency personnel or county personnel to whom the Agency has
17 delegated the authority to monitor compliance with this Act
18 shall, on the basis of direct observation, determine that any
19 person has violated any provision of this Act, the Agency or
20 county personnel may issue and serve, within 60 days after the
21 observed violation, an administrative citation upon that
22 person or the entity employing that person. Each citation shall
23 be served upon the person named or the person's authorized
24 agent for service of process and shall include the following:

25 (1) a statement specifying the provisions of this Act
26 that the person or the entity employing the person has

1 violated;

2 (2) a copy of the inspection report in which the Agency
3 or local government recorded the violation and the date and
4 time of the inspection;

5 (3) the penalty imposed under Section 80; and

6 (4) an affidavit by the personnel observing the
7 violation, attesting to their material actions and
8 observations.

9 (1) If the person named in the administrative citation
10 fails to petition the Illinois Pollution Control Board for
11 review within 35 days after the date of service, the Board
12 shall adopt a final order, which shall include the
13 administrative citation and findings of violation as alleged in
14 the citation and shall impose the penalty specified in Section
15 80.

16 (m) If a petition for review is filed with the Board to
17 contest an administrative citation issued under this Section,
18 the Agency or unit of local government shall appear as a
19 complainant at a hearing before the Board to be conducted
20 pursuant to subsection (n) of this Section at a time not less
21 than 21 days after notice of the hearing has been sent by the
22 Board to the Agency or unit of local government and the person
23 named in the citation. In those hearings, the burden of proof
24 shall be on the Agency or unit of local government. If, based
25 on the record, the Board finds that the alleged violation
26 occurred, it shall adopt a final order, which shall include the

1 administrative citation and findings of violation as alleged in
2 the citation, and shall impose the penalty specified in Section
3 80 of this Act. However, if the Board finds that the person
4 appealing the citation has shown that the violation resulted
5 from uncontrollable circumstances, the Board shall adopt a
6 final order that makes no finding of violation and imposes no
7 penalty.

8 (n) All hearings under this Act shall be held before a
9 qualified hearing officer, who may be attended by one or more
10 members of the Board, designated by the Chairman. All of these
11 hearings shall be open to the public, and any person may submit
12 written statements to the Board in connection with the subject
13 of these hearings. In addition, the Board may permit any person
14 to offer oral testimony. Any party to a hearing under this
15 subsection may be represented by counsel, make oral or written
16 argument, offer testimony, cross-examine witnesses, or take
17 any combination of those actions. All testimony taken before
18 the Board shall be recorded stenographically. The transcript so
19 recorded and any additional matter accepted for the record
20 shall be open to public inspection, and copies of those
21 materials shall be made available to any person upon payment of
22 the actual cost of reproducing the original.

23 (o) Through December 31, 2019, counties ~~Counties~~ that have
24 entered into a delegation agreement with the Agency pursuant to
25 subsection (r) of Section 4 of the Illinois Environmental
26 Protection Act for the purpose of conducting inspection,

1 investigation, or enforcement-related functions may conduct
2 inspections for noncompliance with this Act.

3 (Source: P.A. 98-714, eff. 7-16-14; 99-13, eff. 7-10-15.)

4 (415 ILCS 150/30)

5 Sec. 30. Manufacturer responsibilities.

6 (a) Prior to April 1, 2009 for the first program year, and
7 by October 1 for program year 2011 and each program year
8 thereafter, through program year 2018, manufacturers who sell
9 computers, computer monitors, printers, televisions,
10 electronic keyboards, facsimile machines, videocassette
11 recorders, portable digital music players, digital video disc
12 players, video game consoles, electronic mice, scanners,
13 digital converter boxes, cable receivers, satellite receivers,
14 digital video disc recorders, or small-scale servers in this
15 State must register with the Agency. The registration must be
16 submitted in the form and manner required by the Agency. The
17 registration must include, without limitation, all of the
18 following:

19 (1) a list of all of the manufacturer's brands of
20 computers, computer monitors, printers, televisions,
21 electronic keyboards, facsimile machines, videocassette
22 recorders, portable digital music players, digital video
23 disc players, video game consoles, electronic mice,
24 scanners, digital converter boxes, cable receivers,
25 satellite receivers, digital video disc recorders, and

1 small-scale servers to be offered for sale in the next
2 program year;

3 (2) (blank); and

4 (3) a statement disclosing whether any of the
5 manufacturer's computers, computer monitors, printers,
6 televisions, electronic keyboards, facsimile machines,
7 videocassette recorders, portable digital music players,
8 digital video disc players, video game consoles,
9 electronic mice, scanners, digital converter boxes, cable
10 receivers, satellite receivers, digital video disc
11 recorders, or small-scale servers sold in this State exceed
12 the maximum concentration values established for lead,
13 mercury, cadmium, hexavalent chromium, polybrominated
14 biphenyls (PBBs), and polybrominated diphenyl ethers
15 (PBDEEs) under the RoHS (restricting the use of certain
16 hazardous substances in electrical and electronic
17 equipment) Directive 2002/95/EC of the European Parliament
18 and Council and any amendments thereto and, if so, an
19 identification of the aforementioned electronic device
20 that exceeds the directive.

21 If, during the program year, any of the manufacturer's
22 aforementioned electronic devices are sold or offered for sale
23 in Illinois under a new brand that is not listed in the
24 manufacturer's registration, then, within 30 days after the
25 first sale or offer for sale under the new brand, the
26 manufacturer must amend its registration to add the new brand.

1 (b) Prior to July 1, 2009 for the first program year, and
2 by the November 1 preceding each program year thereafter,
3 through program year 2018 ~~years 2011 and later,~~ all
4 manufacturers whose computers, computer monitors, printers,
5 televisions, electronic keyboards, facsimile machines,
6 videocassette recorders, portable digital music players,
7 digital video disc players, video game consoles, electronic
8 mice, scanners, digital converter boxes, cable receivers,
9 satellite receivers, digital video disc recorders, or
10 small-scale servers are offered for sale in the State shall
11 submit to the Agency, at an address prescribed by the Agency,
12 the registration fee for the next program year. The
13 registration fee for program year 2010 is \$5,000. The
14 registration fee for program year 2011 is \$5,000, increased by
15 the applicable inflation factor as described below. In program
16 year 2012, if, in program year 2011, a manufacturer sold 250 or
17 fewer of the aforementioned electronic devices in the State,
18 then the registration fee for that manufacturer is \$1,250. In
19 each program year after 2012, if, in the preceding program
20 year, a manufacturer sold 250 or fewer of the aforementioned
21 electronic devices in the State, then the registration fee is
22 the fee that applied in the previous year to manufacturers that
23 sold that number of the aforementioned electronic devices,
24 increased by the applicable inflation factor as described
25 below. In program year 2012, if, in the preceding program year
26 a manufacturer sold 251 or more of the aforementioned

1 electronic devices in the State, then the registration fee for
2 that manufacturer is \$5,000. In each program year after 2012
3 through program year 2018, if, in the preceding program year, a
4 manufacturer sold 251 or more of the aforementioned electronic
5 devices in the State, then the registration fee is the fee that
6 applied in the previous year to manufacturers that sold that
7 number of the aforementioned electronic devices, increased by
8 the applicable inflation factor as described below. For program
9 year 2011, program year 2013, and each program year thereafter,
10 through program year 2018, the applicable registration fee is
11 increased each year by an inflation factor determined by the
12 annual Implicit Price Deflator for Gross National Product, as
13 published by the U.S. Department of Commerce in its Survey of
14 Current Business. The inflation factor must be calculated each
15 year by dividing the latest published annual Implicit Price
16 Deflator for Gross National Product by the annual Implicit
17 Price Deflator for Gross National Product for the previous
18 year. The inflation factor must be rounded to the nearest
19 1/100th, and the resulting registration fee must be rounded to
20 the nearest whole dollar. No later than October 1 of each
21 program year, through October 1, 2017, the Agency shall post on
22 its website the registration fee for the next program year.

23 (c) Through program year 2018, a ~~A~~ manufacturer whose
24 computers, computer monitors, printers, televisions,
25 electronic keyboards, facsimile machines, videocassette
26 recorders, portable digital music players, digital video disc

1 players, video game consoles, electronic mice, scanners,
2 digital converter boxes, cable receivers, satellite receivers,
3 digital video disc recorders, or small-scale servers are sold
4 or offered for sale in this State on or after January 1 of a
5 program year must register with the Agency within 30 days after
6 the first sale or offer for sale in accordance with subsection
7 (a) of this Section and submit the registration fee required
8 under subsection (b) of this Section prior to the
9 aforementioned electronic devices being sold or offered for
10 sale.

11 (d) Through program year 2018, each ~~Each~~ manufacturer shall
12 recycle or process for reuse CEDs and EEDs whose total weight
13 equals or exceeds the manufacturer's individual recycling and
14 reuse goal set forth in Section 15 of this Act. Individual
15 consumers shall not be charged a fee when bringing their CEDs
16 and EEDs to collection locations, unless a financial incentive
17 of equal or greater value, such as a coupon, is provided.
18 Collectors may charge a fee for premium services such as
19 curbside collection, home pick-up, or a similar method of
20 collection.

21 When determining whether a manufacturer has met or exceeded
22 its individual recycling and reuse goal set forth in Section 15
23 of this Act, all of the following adjustments must be made:

24 (1) The total weight of CEDs processed by the
25 manufacturer, its recyclers, or its refurbishers for reuse
26 is doubled.

1 (2) The total weight of CEDs is tripled if they are
2 donated for reuse by the manufacturer to a primary or
3 secondary public education institution the majority of
4 whose students are considered low income or
5 developmentally disabled or to low-income children or
6 families or to assist the developmentally disabled in
7 Illinois. This subsection applies only to CEDs for which
8 the manufacturer has received a written confirmation that
9 the recipient has accepted the donation. Copies of all
10 written confirmations must be submitted in the annual
11 report required under Section 30.

12 (3) The total weight of CEDs collected by manufacturers
13 free of charge in underserved counties is doubled. This
14 subsection applies only to CEDs that are documented by
15 collectors as being collected or received free of charge in
16 underserved counties. This documentation must include,
17 without limitation, the date and location of collection or
18 receipt, the weight of the CEDs collected or received, and
19 an acknowledgement by the collector that the CEDs were
20 collected or received free of charge. Copies of the
21 documentation must be submitted in the annual report
22 required under subsection (h), (i), (j), (k), or (l) of
23 Section 30.

24 (4) If an entity (i) collects, recycles, or refurbishes
25 CEDs for a manufacturer, (ii) qualifies for non-profit
26 status under Section 501(c)(3) of the Internal Revenue Code

1 of 1986, and (iii) at least 75% of its employees are
2 developmentally disabled, then the total weight of CEDs
3 will be tripled. A manufacturer that uses such a recycler
4 or refurbisher shall submit documentation in the annual
5 report required under Section 30 identifying the name,
6 location, and length of service of the entity that
7 qualifies for credit under this subsection.

8 (e) (Blank).

9 (f) Through program year 2018, manufacturers ~~Manufacturers~~
10 shall ensure that only recyclers and refurbishers that have
11 registered with the Agency are used to meet the individual
12 recycling and reuse goals set forth in this Act.

13 (g) Through program year 2018, manufacturers ~~Manufacturers~~
14 shall ensure that the recyclers and refurbishers used to meet
15 the individual recycling and reuse goals set forth in this Act
16 shall, at a minimum, comply with the standards set forth under
17 subsection (d) of Section 50 of this Act. By November 1, 2011
18 and every November 1 thereafter, through November 1, 2017,
19 manufacturers shall submit a document, as prescribed by the
20 Agency, listing each registered recycler and refurbisher that
21 will be used to meet the manufacturer's annual CED recycling
22 and reuse goal and certifying that those recyclers or
23 refurbishers comply with the standards set forth in subsection
24 (d) of Section 50.

25 (h) By September 1, 2012 and every September 1 thereafter,
26 through September 1, 2017, manufacturers of computers,

1 computer monitors, printers, televisions, electronic
2 keyboards, facsimile machines, videocassette recorders,
3 portable digital music players, digital video disc players,
4 video game consoles, electronic mice, scanners, digital
5 converter boxes, cable receivers, satellite receivers, digital
6 video disc recorders, or small-scale servers shall submit to
7 the Agency, in the form and manner required by the Agency, a
8 report that contains the total weight of the aforementioned
9 electronic devices sold under each of the manufacturer's brands
10 to individuals in this State as calculated under subsection (c)
11 and (c-5) of Section 15, as applicable. Each manufacturer shall
12 indicate on the report whether the total weight of the
13 aforementioned electronic devices was derived from its own
14 sales records or national sales data. If a manufacturer's
15 weight for aforementioned electronic devices is derived from
16 national sales data, the manufacturer shall indicate the source
17 of the sales data.

18 (i) (Blank).

19 (j) (Blank).

20 (k) (Blank).

21 (l) On or before January 31, 2013 and on or before every
22 January 31 thereafter, through January 31, 2019, manufacturers
23 of computers, computer monitors, printers, televisions,
24 electronic keyboards, facsimile machines, videocassette
25 recorders, portable digital music players, digital video disc
26 players, video game consoles, electronic mice, scanners,

1 digital converter boxes, cable receivers, satellite receivers,
2 digital video disc recorders, and small-scale servers shall
3 submit to the Agency, on forms and in a format prescribed by
4 the Agency, a report that contains all of the following
5 information for the previous program year:

6 (1) The total weight of computers, the total weight of
7 computer monitors, the total weight of printers, facsimile
8 machines, and scanners, the total weight of televisions,
9 the total weight of the remaining CEDs, and the total
10 weight of EEDs recycled or processed for reuse.

11 (2) The identification of all weights that are adjusted
12 under subsection (d) of this Section. For all weights
13 adjusted under item (2) of subsection (d), the manufacturer
14 must include copies of the written confirmation required
15 under that subsection.

16 (3) A list of each recycler, refurbisher, and collector
17 used by the manufacturer to fulfill the manufacturer's
18 individual recycling and reuse goal set forth in
19 subsections (c) and (c-5) of Section 15 of this Act.

20 (4) A summary of the manufacturer's consumer education
21 program required under subsection (m) of this Section.

22 (m) Through program year 2018, manufacturers ~~Manufacturers~~
23 must develop and maintain a consumer education program that
24 complements and corresponds to the primary retailer-driven
25 campaign required under Section 40 of this Act. The education
26 program shall promote the recycling of electronic products and

1 proper end-of-life management of the products by consumers.

2 (n) Beginning January 1, 2012, and through December 31,
3 2018, no manufacturer may sell a computer, computer monitor,
4 printer, television, electronic keyboard, facsimile machine,
5 videocassette recorder, portable digital music player, digital
6 video disc player, video game console, electronic mouse,
7 scanner, digital converter box, cable receiver, satellite
8 receiver, digital video disc recorder, or small-scale server in
9 this State unless the manufacturer is registered with the State
10 as required under this Act, has paid the required registration
11 fee, and is otherwise in compliance with the provisions of this
12 Act.

13 (o) Beginning January 1, 2012, and through December 31,
14 2018, no manufacturer may sell a computer, computer monitor,
15 printer, television, electronic keyboard, facsimile machine,
16 videocassette recorder, portable digital music player, digital
17 video disc player, video game console, electronic mouse,
18 scanner, digital converter box, cable receiver, satellite
19 receiver, digital video disc recorder, or small-scale server in
20 this State unless the manufacturer's brand name is permanently
21 affixed to, and is readily visible on, the computer, computer
22 monitor, printer, or television.

23 (Source: P.A. 97-287, eff. 8-10-11; 98-714, eff. 7-16-14.)

24 (415 ILCS 150/40)

25 Sec. 40. Retailer responsibilities.

1 (a) Through program year 2018, retailers ~~Retailers~~ shall be
2 a primary source of information about end-of-life options to
3 residential consumers of computers, computer monitors,
4 printers, and televisions. At the time of sale, the retailer
5 shall provide each residential consumer with information from
6 the Agency's website that provides information detailing where
7 and how a consumer can recycle a CED or return a CED for reuse.

8 (b) Beginning January 1, 2010, and through December 31,
9 2018, no retailer may sell or offer for sale any computer,
10 computer monitor, printer, or television in or for delivery
11 into this State unless:

12 (1) the computer, computer monitor, printer, or
13 television is labeled with a brand and the label is
14 permanently affixed and readily visible; and

15 (2) the manufacturer is registered with the Agency and
16 has paid the required registration fee as required under
17 Section 20 of this Act.

18 This subsection (b) does not apply to any computer, computer
19 monitor, printer, or television that was purchased prior to
20 January 1, 2010.

21 (c) By July 1, 2009, retailers shall report to each
22 television manufacturer, by model, the number of televisions
23 sold at retail to individuals in this State under each of the
24 manufacturer's brands during the 6-month period from October 1,
25 2008 through March 31, 2009.

26 (d) (Blank).

1 (e) (Blank).

2 (f) Notwithstanding any other provision in this Act a
3 retailer may collect a fee for any CED or EED accepted.

4 (Source: P.A. 95-959, eff. 9-17-08; 96-1154, eff. 7-21-10.)

5 (415 ILCS 150/50)

6 Sec. 50. Recycler and refurbisher registration.

7 (a) Prior to January 1 of each program year, through
8 program year 2018, each recycler and refurbisher must register
9 with the Agency and submit a registration fee pursuant to
10 subsection (b) for that program year. Registration must be on
11 forms and in a format prescribed by the Agency and shall
12 include, but not be limited to, the address of each location
13 where the recycler or refurbisher manages CEDs or EEDs and
14 identification of each location at which the recycler or
15 refurbisher accepts CEDs or EEDs from a residence.

16 (b) The registration fee for program year 2010 is \$2,000.
17 For program year 2011, if a recycler's or refurbisher's annual
18 combined total weight of CEDs and EEDs is less than 1,000 tons
19 per year, the registration fee shall be \$500. For program year
20 2012 and for all subsequent program years, through program year
21 2018, both registration fees shall be increased each year by an
22 inflation factor determined by the annual Implicit Price
23 Deflator for Gross National Product as published by the U.S.
24 Department of Commerce in its Survey of Current Business. The
25 inflation factor must be calculated each year by dividing the

1 latest published annual Implicit Price Deflator for Gross
2 National Product by the annual Implicit Price Deflator for
3 Gross National Product for the previous year. The inflation
4 factor must be rounded to the nearest 1/100th, and the
5 resulting registration fee must be rounded to the nearest whole
6 dollar. No later than October 1 of each program year, through
7 October 1, 2017, the Agency shall post on its website the
8 registration fee for the next program year.

9 (c) Through program year 2018, ~~no~~ person may act as a
10 recycler or a refurbisher of CEDs for a manufacturer obligated
11 to meet goals under this Act unless the recycler or refurbisher
12 is registered with the Agency and has paid the registration fee
13 as required under this Section. Beginning in program year 2016,
14 and through program year 2018, all recycling or refurbishing
15 facilities used by collectors of CEDs and EEDs shall be
16 accredited by the Responsible Recycling (R2) Practices or
17 e-Stewards certification programs or any other equivalent
18 certification programs recognized by the United States
19 Environmental Protection Agency. Manufacturers of CEDs and
20 EEDs shall ensure that recycling or refurbishing facilities
21 used as part of their recovery programs meet this requirement.

22 (c-5) Through program year 2018, a ~~A~~ registered recycler or
23 refurbisher of CEDs and EEDs for a manufacturer obligated to
24 meet goals under this Act may not charge individual consumers
25 or units of local government acting as collectors a fee to
26 recycle or refurbish CEDs and EEDs, unless the recycler or

1 refurbisher provides (i) a financial incentive, such as a
2 coupon, that is of greater or equal value to the fee being
3 charged or (ii) premium service, such as curbside collection,
4 home pick-up, or similar methods of collection. Local units of
5 government serving as collectors of CEDs and EEDs shall not
6 charge a manufacturer for collection costs and shall offer the
7 manufacturer or its representative all CEDs and EEDs collected
8 by the local government at no cost. Nothing in this Act
9 requires a local unit of government to serve as a collector.

10 (c-10) Nothing in this Act prohibits any waste hauler from
11 entering into a contractual agreement with a unit of local
12 government to establish a collection program for the recycling
13 or reuse of CEDs or EEDs, including services such as curbside
14 collection, home pick-up, drop-off locations, or similar
15 methods of collection.

16 (d) Through program year 2018, recyclers ~~Recyclers~~ and
17 refurbishers must, at a minimum, comply with all of the
18 following:

19 (1) Recyclers and refurbishers must comply with
20 federal, State, and local laws and regulations, including
21 federal and State minimum wage laws, specifically relevant
22 to the handling, processing, refurbishing and recycling of
23 residential CEDs and must have proper authorization by all
24 appropriate governing authorities to perform the handling,
25 processing, refurbishment, and recycling.

26 (2) Recyclers and refurbishers must implement the

1 appropriate measures to safeguard occupational and
2 environmental health and safety, through the following:

3 (A) environmental health and safety training of
4 personnel, including training with regard to material
5 and equipment handling, worker exposure, controlling
6 releases, and safety and emergency procedures;

7 (B) an up-to-date, written plan for the
8 identification and management of hazardous materials;
9 and

10 (C) an up-to-date, written plan for reporting and
11 responding to exceptional pollutant releases,
12 including emergencies such as accidents, spills,
13 fires, and explosions.

14 (3) Recyclers and refurbishers must maintain (i)
15 commercial general liability insurance or the equivalent
16 corporate guarantee for accidents and other emergencies
17 with limits of not less than \$1,000,000 per occurrence and
18 \$1,000,000 aggregate and (ii) pollution legal liability
19 insurance with limits not less than \$1,000,000 per
20 occurrence for companies engaged solely in the dismantling
21 activities and \$5,000,000 per occurrence for companies
22 engaged in recycling.

23 (4) Recyclers and refurbishers must maintain on file
24 documentation that demonstrates the completion of an
25 environmental health and safety audit completed and
26 certified by a competent internal and external auditor

1 annually. A competent auditor is an individual who, through
2 professional training or work experience, is appropriately
3 qualified to evaluate the environmental health and safety
4 conditions, practices, and procedures of the facility.
5 Documentation of auditors' qualifications must be
6 available for inspection by Agency officials and
7 third-party auditors.

8 (5) Recyclers and refurbishers must maintain on file
9 proof of workers' compensation and employers' liability
10 insurance.

11 (6) Recyclers and refurbishers must provide adequate
12 assurance (such as bonds or corporate guarantee) to cover
13 environmental and other costs of the closure of the
14 recycler or refurbisher's facility, including cleanup of
15 stockpiled equipment and materials.

16 (7) Recyclers and refurbishers must apply due
17 diligence principles to the selection of facilities to
18 which components and materials (such as plastics, metals,
19 and circuit boards) from CEDs and EEDs are sent for reuse
20 and recycling.

21 (8) Recyclers and refurbishers must establish a
22 documented environmental management system that is
23 appropriate in level of detail and documentation to the
24 scale and function of the facility, including documented
25 regular self-audits or inspections of the recycler or
26 refurbisher's environmental compliance at the facility.

1 (9) Recyclers and refurbishers must use the
2 appropriate equipment for the proper processing of
3 incoming materials as well as controlling environmental
4 releases to the environment. The dismantling operations
5 and storage of CED and EED components that contain
6 hazardous substances must be conducted indoors and over
7 impervious floors. Storage areas must be adequate to hold
8 all processed and unprocessed inventory. When heat is used
9 to soften solder and when CED and EED components are
10 shredded, operations must be designed to control indoor and
11 outdoor hazardous air emissions.

12 (10) Recyclers and refurbishers must establish a
13 system for identifying and properly managing components
14 (such as circuit boards, batteries, CRTs, and mercury
15 phosphor lamps) that are removed from CEDs and EEDs during
16 disassembly. Recyclers and refurbishers must properly
17 manage all hazardous and other components requiring
18 special handling from CEDs and EEDs consistent with
19 federal, State, and local laws and regulations. Recyclers
20 and refurbishers must provide visible tracking (such as
21 hazardous waste manifests or bills of lading) of hazardous
22 components and materials from the facility to the
23 destination facilities and documentation (such as
24 contracts) stating how the destination facility processes
25 the materials received. No recycler or refurbisher may
26 send, either directly or through intermediaries, hazardous

1 wastes to solid waste (non-hazardous waste) landfills or to
2 non-hazardous waste incinerators for disposal or energy
3 recovery. For the purpose of these guidelines, smelting of
4 hazardous wastes to recover metals for reuse in conformance
5 with all applicable laws and regulations is not considered
6 disposal or energy recovery.

7 (11) Recyclers and refurbishers must use a regularly
8 implemented and documented monitoring and record-keeping
9 program that tracks inbound CED and EED material weights
10 (total) and subsequent outbound weights (total to each
11 destination), injury and illness rates, and compliance
12 with applicable permit parameters including monitoring of
13 effluents and emissions. Recyclers and refurbishers must
14 maintain contracts or other documents, such as sales
15 receipts, suitable to demonstrate: (i) the reasonable
16 expectation that there is a downstream market or uses for
17 designated electronics (which may include recycling or
18 reclamation processes such as smelting to recover metals
19 for reuse); and (ii) that any residuals from recycling or
20 reclamation processes, or both, are properly handled and
21 managed to maximize reuse and recycling of materials to the
22 extent practical.

23 (12) Recyclers and refurbishers must comply with
24 federal and international law and agreements regarding the
25 export of used products or materials. In the case of
26 exports of CEDs and EEDs, recyclers and refurbishers must

1 comply with applicable requirements of the U.S. and of the
2 import and transit countries and must maintain proper
3 business records documenting its compliance. No recycler
4 or refurbisher may establish or use intermediaries for the
5 purpose of circumventing these U.S. import and transit
6 country requirements.

7 (13) Recyclers and refurbishers that conduct
8 transactions involving the transboundary shipment of used
9 CEDs and EEDs shall use contracts (or the equivalent
10 commercial arrangements) made in advance that detail the
11 quantity and nature of the materials to be shipped. For the
12 export of materials to a foreign country (directly or
13 indirectly through downstream market contractors): (i) the
14 shipment of intact televisions and computer monitors
15 destined for reuse must include only whole products that
16 are tested and certified as being in working order or
17 requiring only minor repair (e.g. not requiring the
18 replacement of circuit boards or CRTs), must be destined
19 for reuse with respect to the original purpose, and the
20 recipient must have verified a market for the sale or
21 donation of such product for reuse; (ii) the shipments of
22 CEDs and EEDs for material recovery must be prepared in a
23 manner for recycling, including, without limitation,
24 smelting where metals will be recovered, plastics recovery
25 and glass-to-glass recycling; or (iii) the shipment of CEDs
26 and EEDs are being exported to companies or facilities that

1 are owned or controlled by the original equipment
2 manufacturer.

3 (14) Recyclers and refurbishers must maintain the
4 following export records for each shipment on file for a
5 minimum of 3 years: (i) the facility name and the address
6 to which shipment is exported; (ii) the shipment contents
7 and volumes; (iii) the intended use of contents by the
8 destination facility; (iv) any specification required by
9 the destination facility in relation to shipment contents;
10 (v) an assurance that all shipments for export, as
11 applicable to the CED manufacturer, are legal and satisfy
12 all applicable laws of the destination country.

13 (15) Recyclers and refurbishers must employ
14 industry-accepted procedures for the destruction or
15 sanitization of data on hard drives and other data storage
16 devices. Acceptable guidelines for the destruction or
17 sanitization of data are contained in the National
18 Institute of Standards and Technology's Guidelines for
19 Media Sanitation or those guidelines certified by the
20 National Association for Information Destruction;

21 (16) No recycler or refurbisher may employ prison labor
22 in any operation related to the collection,
23 transportation, recycling, and refurbishment of CEDs and
24 EEDs. No recycler or refurbisher may employ any third party
25 that uses or subcontracts for the use of prison labor.

26 (Source: P.A. 99-13, eff. 7-10-15.)

1 (415 ILCS 150/55)

2 Sec. 55. Collector responsibilities.

3 (a) No later than January 1 of each program year, through
4 program year 2018, collectors that collect or receive CEDs or
5 EEDs for one or more manufacturers, recyclers, or refurbishers
6 shall register with the Agency. Registration must be in the
7 form and manner required by the Agency and must include,
8 without limitation, the address of each location where CEDs or
9 EEDs are received and the identification of each location at
10 which the collector accepts CEDs or EEDs from a residence.
11 Beginning January 1, 2016, and through December 31, 2018,
12 collectors shall work only with certified recyclers and
13 refurbishers as provided in subsection (c) of Section 50 of
14 this Act.

15 (b) Through program year 2018, manufacturers
16 ~~Manufacturers,~~ recyclers, refurbishers also acting as
17 collectors shall so indicate on their registration under
18 Section 30 or 50 and not register separately as collectors.

19 (c) No later than August 15, 2010, collectors must submit
20 to the Agency, on forms and in a format prescribed by the
21 Agency, a report for the period from January 1, 2010 through
22 June 30, 2010 that contains the following information: the
23 total weight of computers, the total weight of computer
24 monitors, the total weight of printers, the total weight of
25 televisions, and the total weight of EEDs collected or received

1 for each manufacturer.

2 (d) By January 31 of each program year, through January 31,
3 2019, collectors must submit to the Agency, on forms and in a
4 format prescribed by the Agency, a report that contains the
5 following information for the previous program year:

6 (1) The total weight of computers, the total weight of
7 computer monitors, the total weight of printers, facsimile
8 machines, and scanners, the total weight of televisions,
9 the total weight of the remaining CEDs collected, and the
10 total weight of EEDs collected or received for each
11 manufacturer during the previous program year.

12 (2) A list of each recycler and refurbisher that
13 received CEDs and EEDs from the collector and the total
14 weight each recycler and refurbisher received.

15 (3) The address of each collector's facility where the
16 CEDs and EEDs were collected or received. Each facility
17 address must include the county in which the facility is
18 located.

19 (e) Through program year 2018, collectors ~~Collectors~~ may
20 accept no more than 10 CEDs or EEDs at one time from individual
21 members of the public and, when scheduling collection events,
22 shall provide no fewer than 30 days' notice to the county waste
23 agency of those events.

24 (f) Through program year 2018, no ~~no~~ collector of CEDs and
25 EEDs may recycle, or refurbish for reuse or resale, CEDs or
26 EEDs to a third party unless the collector registers as a

1 recycler or refurbisher pursuant to Section 50 and pays the
2 registration fee pursuant to Section 50.

3 (Source: P.A. 98-714, eff. 7-16-14; 99-13, eff. 7-10-15.)

4 (415 ILCS 150/60)

5 Sec. 60. Collection strategy for underserved counties.

6 (a) For program year 2010 and 2011, all counties in this
7 State except the following are considered underserved:
8 Champaign, Clay, Clinton, Cook, DuPage, Fulton, Hancock,
9 Henry, Jackson, Kane, Kendall, Knox, Lake, Livingston,
10 Macoupin, McDonough, McHenry, McLean, Mercer, Peoria, Rock
11 Island, St. Clair, Sangamon, Schuyler, Stevenson, Warren,
12 Will, Williamson, and Winnebago.

13 (b) For program year 2012 and each program year thereafter,
14 through program year 2018, underserved counties shall be those
15 counties within the State of Illinois with a population density
16 of 190 persons or less per square mile based on the most recent
17 U.S. Census population estimate.

18 (Source: P.A. 97-287, eff. 8-10-11.)

19 (415 ILCS 150/85)

20 Sec. 85. Electronics Recycling Fund. The Electronics
21 Recycling Fund is created as a special fund in the State
22 treasury. The Agency shall deposit all registration fees
23 received under this Act into the Fund. All amounts held in the
24 Fund shall be invested at interest by the State Treasurer. All

1 income earned from the investments shall be deposited into the
2 Electronics Recycling Fund no less frequently than quarterly.
3 Pursuant to appropriation, all moneys in the Electronics
4 Recycling Fund may be used by the Agency for its administration
5 of this Act and the Consumer Electronics Recycling Act. Any
6 moneys appropriated from the Electronics Recycling Fund, but
7 not obligated, shall revert to the Fund. On July 1, 2018, the
8 Comptroller shall order transferred, and the Treasurer shall
9 transfer, all unexpended moneys in the Electronics Recycling
10 Fund into the Solid Waste Management Fund. On December 31,
11 2019, the Comptroller shall order transferred, and the
12 Treasurer shall transfer, any remaining balance in the
13 Electronics Recycling Fund into the Solid Waste Management
14 Fund.

15 (Source: P.A. 95-959, eff. 9-17-08.)

16 (415 ILCS 150/100 new)

17 Sec. 100. Repeal. This Act is repealed on January 1, 2019.

18 ARTICLE 98. SEVERABILITY

19 Section 98-5. Severability. The provisions of this Act are
20 severable under Section 1.31 of the Statute on Statutes.

21 ARTICLE 99. EFFECTIVE DATE

1 Section 99-999. Effective date. This Act takes effect upon
2 becoming law, except that Section 5-5 takes effect on January
3 1, 2020.".