



Sen. Pamela J. Althoff

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LRB100 04571 MJP 27685 a

1 AMENDMENT TO HOUSE BILL 1955

2 AMENDMENT NO. _____. Amend House Bill 1955 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. If and only if Senate Bill 1417 of the 100th
5 General Assembly becomes law, then the Consumer Electronics
6 Recycling Act is amended by changing Sections 1-5, 1-10, 1-15,
7 1-20, 1-25, 1-30, 1-35, 1-40, 1-45, 1-50, 1-55, and 1-85 and by
8 adding Section 1-84 as follows:

9 (100SB1417enr., Sec. 1-5)

10 Sec. 1-5. Definitions. As used in this Act:

11 "Agency" means the Illinois Environmental Protection
12 Agency.

13 "Best practices" means standards for collecting and
14 preparing items for shipment and recycling. "Best practices"
15 may include standards for packaging for transport, load size,
16 acceptable load contamination levels, non-CED items included

1 in a load, and other standards as determined under Section 1-85
2 of this Act. "Best practices" shall consider the desired intent
3 to preserve existing collection programs and relationships
4 when possible.

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

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

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

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

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

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

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

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

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

1 ~~a county.~~

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

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

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

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

1 equipment; or

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

11 "Covered electronic device category" or "CED category"
12 means each of the following 8 categories of residential CEDs:

13 (1) computers and small-scale servers;

14 (2) computer monitors;

15 (3) televisions;

16 (4) printers, facsimile machines, and scanners;

17 (5) digital video disc players, digital video disc
18 recorders, and videocassette recorders;

19 (6) video game consoles;

20 (7) digital converter boxes, cable receivers, and
21 satellite receivers; and

22 (8) electronic keyboards, electronic mice, and
23 portable digital music players that have memory capability
24 and are battery powered.

25 "Manufacturer" means a person, or a successor in interest
26 to a person, under whose brand or label a CED is or was sold at

1 retail. For any CED sold at retail under a brand or label that
2 is licensed from a person who is a mere brand owner and who
3 does not sell or produce a CED, the person who produced the CED
4 or his or her successor in interest is the manufacturer. For
5 any CED sold at retail under the brand or label of both the
6 retail seller and the person that produced the CED, the person
7 that produced the CED, or his or her successor in interest, is
8 the manufacturer.

9 "Manufacturer clearinghouse" means a group of 2 or more
10 manufacturers, representing at least 50% of the manufacturers'
11 total obligations under this Act for a program year, that are
12 cooperating with one another to collectively establish and
13 operate an e-waste program for the purpose of complying with
14 this Act.

15 "Manufacturer e-waste program" means any program
16 established, financed, and operated by a manufacturer,
17 individually or as part of a manufacturer clearinghouse, to
18 transport and subsequently recycle, in accordance with the
19 requirements of this Act, residential CEDs collected at program
20 collection sites and one-day collection events ~~in accordance~~
21 ~~with best practices.~~

22 "Municipal joint action agency" means a municipal joint
23 action agency created under Section 3.2 of the
24 Intergovernmental Cooperation Act.

25 "One-day collection event" means a one-day event used as a
26 substitute for a program collection site pursuant to Section

1 1-15 of this Act.

2 "Person" means an individual, partnership, co-partnership,
3 firm, company, limited liability company, corporation,
4 association, joint stock company, trust, estate, political
5 subdivision, State agency, or any other legal entity; or a
6 legal representative, agent, or assign of that entity. "Person"
7 includes a unit of local government.

8 "Printer" means desktop printers, multifunction printer
9 copiers, and printer/fax combinations taken out of service from
10 a residence that are designed to reside on a work surface, and
11 include various print technologies, including without
12 limitation laser and LED (electrographic), ink jet, dot matrix,
13 thermal, and digital sublimation, and "multi-function" or
14 "all-in-one" devices that perform different tasks, including
15 without limitation copying, scanning, faxing, and printing.
16 Printers do not include floor-standing printers, printers with
17 optional floor stand, point of sale (POS) receipt printers,
18 household printers such as a calculator with printing
19 capabilities or label makers, or non-stand-alone printers that
20 are embedded into products that are not CEDs.

21 "Program collection site" means a physical location that is
22 included in a manufacturer e-waste program and at which
23 residential CEDs are collected and prepared for transport by a
24 collector during a program year in accordance with the
25 requirements of this Act. Except as otherwise provided in this
26 Act, "program collection" site" does not include a retail

1 collection site.

2 "Program year" means a calendar year. The first program
3 year is 2019.

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

8 "Recycling" has the meaning provided under Section 3.380 of
9 the Environmental Protection Act. "Recycling" includes any
10 process by which residential CEDs that would otherwise be
11 disposed of or discarded are collected, separated, or processed
12 and returned to the economic mainstream in the form of raw
13 materials or products.

14 "Residence" means a dwelling place or home in which one or
15 more individuals live.

16 "Residential covered electronic device" or "residential
17 CED" means any covered electronic device taken out of service
18 from a residence in the State.

19 "Retail collection site" means a private sector collection
20 site operated by a retailer collecting on behalf of a
21 manufacturer.

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

1 "Sale" means any retail transfer of title for consideration
2 of title including, but not limited to, transactions conducted
3 through sales outlets, catalogs, or the Internet or any other
4 similar electronic means. "Sale" does not include financing or
5 leasing.

6 "Small-scale server" means a computer that typically uses
7 desktop components in a desktop form designed primarily to
8 serve as a storage host for other computers. To be considered a
9 small-scale server, a computer must: be designed in a pedestal,
10 tower, or other form that is similar to that of a desktop
11 computer so that all data processing, storage, and network
12 interfacing is contained within one box or product; be designed
13 to be operational 24 hours per day and 7 days per week; have
14 very little unscheduled downtime, such as on the order of hours
15 per year; be capable of operating in a simultaneous multi-user
16 environment serving several users through networked client
17 units; and be designed for an industry-accepted operating
18 system for home or low-end server applications.

19 "Television" means an electronic device that contains ~~(i)~~
20 ~~containing~~ a cathode-ray tube or flat panel screen the size of
21 which is greater than 4 inches when measured diagonally and ~~7~~
22 ~~(ii)~~ that is intended to receive video programming via
23 broadcast, cable, ~~or~~ satellite, internet, or other mode of
24 video transmission or to receive video from surveillance or
25 other similar cameras, ~~and (iii) that is used only in a~~
26 ~~residence.~~

1 (Source: 100SB1417enr.)

2 (100SB1417enr., Sec. 1-10)

3 Sec. 1-10. Manufacturer e-waste program.

4 (a) For program year 2019 and each program year thereafter,
5 each manufacturer shall, individually or as part of a
6 manufacturer clearinghouse, provide a manufacturer e-waste
7 program to transport and subsequently recycle, in accordance
8 with the requirements of this Act, residential CEDs collected
9 at, and prepared for transport from, the program collection
10 sites and one-day collection events included in the program
11 during the program year.

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

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

16 (2) instructions for designated county recycling
17 coordinators and municipal joint action agencies to
18 annually file notice to participate in the program;

19 (3) transportation and subsequent recycling of the
20 residential CEDs collected at, and prepared for transport
21 from, the program collection sites and one-day collection
22 events included in the program during the program year; and

23 (4) submission of a report to the Agency, by March 1
24 ~~January 31~~, 2020, and each March 1 ~~January 31~~ thereafter,
25 which includes:

1 (A) the total weight of all residential CEDs
2 transported from program collection sites and one-day
3 collection events throughout the State during the
4 preceding program year by CED category;

5 (B) the total weight of residential CEDs
6 transported from all program collection sites and
7 one-day collection events in each county in the State
8 during the preceding program year by CED category; and

9 (C) the total weight of residential CEDs
10 transported from all program collection sites and
11 one-day collection events in each county in the State
12 during that preceding program year and that was
13 recycled.

14 (c) Each manufacturer e-waste program ~~The Agency~~ shall make
15 the instructions required under paragraph (2) of subsection (b)
16 available on its ~~the Agency's~~ website by December 1, 2017, and
17 the program shall provide to the Agency a hyperlink to the
18 website for posting on the Agency's website.

19 (d) Nothing in this Act shall prevent a manufacturer from
20 accepting, through a manufacturer e-waste program, residential
21 CEDs collected through a curbside collection program that is
22 operated pursuant to an agreement between a third party and a
23 unit of local government located within a county or municipal
24 joint action agency that has elected to participate in a
25 manufacturer e-waste program.

26 (Source: 100SB1417enr.)

1 (100SB1417enr., Sec. 1-15)

2 Sec. 1-15. Convenience standard for program collection
3 sites and one-day collection events.

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

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

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

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

25 (4) four program collection sites in each county that

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

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

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

17 For purposes of this Section, county population densities
18 shall be based on the entire county's population density,
19 regardless of whether a municipality or municipal joint action
20 agency in the county participates in a manufacturer e-waste
21 program.

22 If a municipality with a population of over 1,000,000
23 residents elects ~~notifies the program of the municipality's~~
24 ~~desire~~ to participate in a manufacturer e-waste ~~the program for~~
25 a program year, then the program ~~that municipality~~ shall
26 provide 10 additional ~~receive 15~~ program collection sites for

1 the program year to be located in that municipality, and the
2 program collection sites required under paragraph (6) of
3 subsection (a) of this Section shall be ~~that municipality in~~
4 ~~addition to county sites, which shall be~~ located outside of the
5 municipality.

6 If a municipal joint action agency elects to participate in
7 a manufacturer e-waste program for a program year, it shall
8 receive, for that year, a population-based pro rata share of
9 the program collection sites that would be granted to the
10 county in which the municipal joint action agency is located if
11 the county were to elect to participate in the program for that
12 year, rounded to the nearest whole number.

13 A designated county recycling coordinator may elect to
14 operate more than the required minimum number of collection
15 sites.

16 (b) Notwithstanding subsection (a) of this Section, any
17 county, municipality, or municipal joint action agency ~~the~~
18 ~~county recycling coordinator for a county~~ that elects to
19 participate in a manufacturer e-waste program may enter into a
20 written agreement with the operators of any manufacturer
21 e-waste program in order to do one or more of the following:

22 (1) to decrease the number of program collection sites
23 in the county, municipality, or territorial boundary of the
24 municipal joint action agency for the program year;

25 (2) to substitute a program collection site in the
26 county, municipality, or territorial boundary of the

1 municipal joint action agency with either (i) 4 one-day
2 collection events ~~in the county~~ or (ii) a different number
3 of such events ~~in the county~~ as may be provided in the
4 written agreement;

5 (3) to substitute the location of a program collection
6 site in the county, municipality, or territorial boundary
7 of the municipal joint action agency for the program year
8 with another location ~~in the county; or~~

9 (4) to substitute the location of a one-day collection
10 in the county, municipality, or territorial boundary of the
11 municipal joint action agency with another location; or in
12 ~~the county.~~

13 (5) to use, with the agreement of the applicable
14 retailer, a retail collection site as a program collection
15 site.

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

20 ~~(c) To facilitate the equitable allocation of covered~~
21 ~~electronic device collection and recycling obligations among~~
22 ~~manufacturers participating in a manufacturer e-waste program,~~
23 ~~beginning November 1, 2018 and by November 1 of each year~~
24 ~~thereafter, the Agency shall determine each manufacturer's~~
25 ~~collection obligation for each CED category that takes into~~
26 ~~account the market share of a manufacturer so that the~~

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

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

12 (Source: 100SB1417enr.)

13 (100SB1417enr., Sec. 1-20)

14 Sec. 1-20. Election to participate in manufacturer e-waste
15 programs. Beginning with program year 2019, a county, a
16 municipal joint action agency, or a municipality with a
17 population of more than 1,000,000 residents may elect to
18 participate in a manufacturer e-waste program by filing ~~having~~
19 ~~the county recycling coordinator file~~ with the manufacturer
20 e-waste program and the Agency, on or before March 1, 2018, and
21 on or before March 1 of each year thereafter for the upcoming
22 program year, a written notice of election to participate in
23 the program. The written notice shall include a list of
24 proposed collection locations likely to be available and
25 appropriate to support the ~~this~~ program, and may include

1 locations already providing similar collection services. The
2 written notice may include a list of registered recyclers that
3 the county, municipal joint action agency, or municipality
4 would prefer using for its collection sites or one-day events.

5 Counties, municipal joint action agencies, and
6 municipalities with a population of more than 1,000,000
7 residents ~~County program coordinators~~ may contract with
8 registered collectors to operate collection sites. Eligible
9 registered collectors are not limited to private companies and
10 non-government organizations. ~~All collectors operating county~~
11 ~~supervised programs shall abide by the standards in Section~~
12 ~~1-45.~~

13 ~~Should a county elect not to participate in the program, a~~
14 ~~municipal joint action agency, representing residents within a~~
15 ~~certain geographic area in the non participating county can~~
16 ~~elect to participate in the e waste program on behalf of the~~
17 ~~residents of the municipal joint action agency.~~

18 (Source: 100SB1417enr.)

19 (100SB1417enr., Sec. 1-25)

20 Sec. 1-25. Manufacturer e-waste program plans.

21 (a) By July 1, 2018, and by July 1 of each year thereafter
22 for the upcoming program year, beginning with program year
23 2019, each manufacturer shall, individually or as a
24 manufacturer clearinghouse, submit to the Agency a
25 manufacturer e-waste program plan ~~and assume the financial~~

1 ~~responsibility for bulk transportation, packaging materials~~
2 ~~necessary to prepare shipments in compliance with best~~
3 ~~practices, and recycling of collected CEDs, which includes, at~~
4 a minimum, the following:

5 (1) the contact information for the individual who will
6 serve as the point of contact for the manufacturer e-waste
7 program;

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

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

14 (4) the collector operating each program collection
15 site and one-day collection event included in the
16 manufacturer e-waste program for the program year;

17 (5) the recyclers that manufacturers plan to use during
18 the program year to transport and subsequently recycle
19 residential CEDs under the program, with the updated list
20 of recyclers to be provided to the Agency no later than
21 December 1 preceding each program year; and

22 (6) an explanation of any deviation by the program from
23 the standard program collection site distribution set
24 forth in subsection (a) of Section 1-15 of this Act for the
25 program year, along with copies of all written agreements
26 made pursuant to paragraphs (1) or (2) of subsection (b) of

1 Section 1-15 for the program year.

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

5 (1) If the Agency determines that the program
6 collection sites and one-day collection events specified
7 in the plan will satisfy the convenience standard set forth
8 in Section 1-15 of this Act, then the Agency shall approve
9 the manufacturer e-waste program plan and provide written
10 notification of the approval to the individual who serves
11 as the point of contact for the manufacturer. The Agency
12 shall ~~make post~~ the approved plan available on the Agency's
13 website.

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

25 (c) Manufacturers shall assume financial responsibility
26 for carrying out their e-waste program plans, including, but

1 not limited to, financial responsibility for providing the
2 packaging materials necessary to prepare shipments of
3 collected residential CEDs in compliance with subsection (e) of
4 Section 1-45, as well as financial responsibility for bulk
5 transportation and recycling of collected residential CEDs.

6 (Source: 100SB1417enr.)

7 (100SB1417enr., Sec. 1-30)

8 Sec. 1-30. Manufacturer registration.

9 (a) By April 1, 2018, and by April 1 of each year
10 thereafter for the upcoming program year, beginning with
11 program year 2019, each manufacturer who sells CEDs in the
12 State must register with the Agency by: (i) submitting to the
13 Agency a \$5,000 ~~\$3,000~~ registration fee; and (ii) completing
14 and submitting to the Agency the registration form prescribed
15 by the Agency. Information on the registration form shall
16 include, without limitation, all of the following:

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

20 (2) the total weights, by CED category, of residential
21 ~~weight of all individual CEDs by category~~ sold or offered
22 for sale under any of the manufacturer's brands or labels
23 in the United States during the calendar year immediately
24 preceding ~~2 years before~~ the applicable program year.

25 If, during a program year, any of the manufacturer's CEDs

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

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

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

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

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

25 (f) Beginning in program year 2019, no manufacturer may
26 sell or offer for sale a CED in this State unless the

1 manufacturer's brand name is permanently affixed to, and is
2 readily visible on, the CED.

3 (g) In accordance with a contract or agreement with a
4 county, municipality, or municipal joint action agency that has
5 elected to participate in a manufacturer e-waste program under
6 this Act, manufacturers may, either individually or through the
7 manufacturer clearinghouse, audit program collection sites and
8 proposed program collection sites for compliance with the terms
9 and conditions of the contract or agreement. Audits shall be
10 conducted during normal business hours, and a manufacturer or
11 its designee shall provide reasonable notice to the collection
12 site in advance of the audit. Audits of all program collection
13 sites may include, among other things, physical site location
14 visits and inspections and review of processes, procedures,
15 technical systems, reports, and documentation reasonably
16 related to the collecting, sorting, packaging, and recycling of
17 residential CEDs in compliance with this Act.

18 (h) Nothing in this Act shall require a manufacturer or
19 manufacturer e-waste program to collect, transport, or recycle
20 any CEDs other than residential CEDs, or to accept for
21 transport or recycling any pallet or bulk container of
22 residential CEDs that has not been prepared by the collector
23 for shipment in accordance with subsection (e) of Section 1-45.

24 (Source: 100SB1417enr.)

1 Sec. 1-35. Retailer responsibilities.

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

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

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

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

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

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

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

24 (c) Retailers shall not be considered collectors under the
25 convenience standard and retail collection sites shall not be
26 considered a collection site for the purposes of the

1 convenience standard pursuant to Sections 1-10, 1-15, and 1-25
2 unless otherwise agreed to in writing by the (i) retailer, (ii)
3 operators of the manufacturer manufacture e-waste program, and
4 (iii) the applicable county, municipal joint action agency, or
5 municipality coordinator. If retailers agree to participate in
6 a county program collection site, then the retailer collection
7 site does not have to collect all CEDs or register as a
8 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 (Source: 100SB1417enr.)

15 (100SB1417enr., Sec. 1-40)

16 Sec. 1-40. Recycler responsibilities.

17 (a) By January 1, 2019, and by January 1 of each year
18 thereafter for that program year, beginning with program year
19 2019, each recycler must register with the Agency by (i)
20 submitting to the Agency a \$3,000 registration fee and (ii)
21 completing and submitting to the Agency the registration form
22 prescribed by the Agency. The registration form prescribed by
23 the Agency shall include, without limitation, the address of
24 each location where the recycler manages residential CEDs
25 collected through a manufacturer e-waste program and the

1 certification required under subsection (d) of this Section.
2 All registration fees collected by the Agency pursuant to this
3 Section shall be deposited into the Solid Waste Management
4 Fund.

5 (a-5) The Agency may deny a registration under this Section
6 if the recycler or any employee or officer of the recycler has
7 a history of:

8 (1) repeated violations of federal, State, or local
9 laws, regulations, standards, or ordinances related to the
10 collection, recycling, or other management of CEDs;

11 (2) conviction in this State or another state of any
12 crime which is a felony under the laws of this State, or
13 conviction of a felony in a federal court; or conviction in
14 this State or another state or federal court of any of the
15 following crimes: forgery, official misconduct, bribery,
16 perjury, or knowingly submitting false information under
17 any environmental law, regulation, or permit term or
18 condition; or

19 (3) gross carelessness or incompetence in handling,
20 storing, processing, transporting, disposing, or otherwise
21 managing CEDs.

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

25 (c) Beginning in program year 2019, no person may act as a
26 recycler of residential CEDs for a manufacturer's e-waste

1 program unless the recycler is registered with the Agency as
2 required under this Section.

3 (d) Beginning in program year 2019, recyclers must, as a
4 part of their annual registration, certify compliance at a
5 minimum, comply with all of the following requirements:

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

13 (2) Recyclers must implement the appropriate measures
14 to safeguard occupational and environmental health and
15 safety, through the following:

16 (A) environmental health and safety training of
17 personnel, including training with regard to material
18 and equipment handling, worker exposure, controlling
19 releases, and safety and emergency procedures;

20 (B) an up-to-date, written plan for the
21 identification and management of hazardous materials;
22 and

23 (C) an up-to-date, written plan for reporting and
24 responding to exceptional pollutant releases,
25 including emergencies such as accidents, spills,
26 fires, and explosions.

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

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

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

22 (6) Recyclers must provide adequate assurance, such as
23 bonds or corporate guarantees, to cover environmental and
24 other costs of the closure of the recycler's facility,
25 including cleanup of stockpiled equipment and materials.

26 (7) Recyclers must apply due diligence principles to

1 the selection of facilities to which components and
2 materials, such as plastics, metals, and circuit boards,
3 from residential CEDs are sent for reuse and recycling.

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

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

21 (10) Recyclers must establish a system for identifying
22 and properly managing components, such as circuit boards,
23 batteries, cathode-ray tubes, and mercury phosphor lamps,
24 that are removed from residential CEDs during disassembly.
25 Recyclers must properly manage all hazardous and other
26 components requiring special handling from residential

1 CEDs consistent with federal, State, and local laws and
2 regulations. Recyclers must provide visible tracking, such
3 as hazardous waste manifests or bills of lading, of
4 hazardous components and materials from the facility to the
5 destination facilities and documentation, such as
6 contracts, stating how the destination facility processes
7 the materials received. No recycler may send, either
8 directly or through intermediaries, hazardous wastes to
9 solid non-hazardous waste landfills or to non-hazardous
10 waste incinerators for disposal or energy recovery. For the
11 purpose of these guidelines, smelting of hazardous wastes
12 to recover metals for reuse in conformance with all
13 applicable laws and regulations is not considered disposal
14 or energy recovery.

15 (11) Recyclers must use a regularly implemented and
16 documented monitoring and record-keeping program that
17 tracks total inbound residential CED material weights and
18 total subsequent outbound weights to each destination,
19 injury and illness rates, and compliance with applicable
20 permit parameters including monitoring of effluents and
21 emissions. Recyclers must maintain contracts or other
22 documents, such as sales receipts, suitable to
23 demonstrate: (i) the reasonable expectation that there is a
24 downstream market or uses for designated electronics,
25 which may include recycling or reclamation processes such
26 as smelting to recover metals for reuse; and (ii) that any

1 residuals from recycling or reclamation processes, or
2 both, are properly handled and managed to maximize reuse
3 and recycling of materials to the extent practical.

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

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

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

24 (f) Nothing in this Act shall prevent a person from acting
25 as a recycler independently of a manufacturer e-waste program.

26 (Source: 100SB1417enr.)

1 (100SB1417enr., Sec. 1-45)

2 Sec. 1-45. Collector responsibilities.

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

11 (a-5) The Agency may deny a registration under this Section
12 if the collector or any employee or officer of the collector
13 has a history of:

14 (1) repeated violations of federal, State, or local
15 laws, regulations, standards, or ordinances related to the
16 collection, recycling, or other management of CEDs;

17 (2) conviction in this State or another state of any
18 crime which is a felony under the laws of this State, or
19 conviction of a felony in a federal court; or conviction in
20 this State or another state or federal court of any of the
21 following crimes: forgery, official misconduct, bribery,
22 perjury, or knowingly submitting false information under
23 any environmental law, regulation, or permit term or
24 condition; or

25 (3) gross carelessness or incompetence in handling,

1 storing, processing, transporting, disposing, or otherwise
2 managing CEDs.

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

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

8 (d) By March 1 ~~January 31~~, 2020 and every March 1 ~~January~~
9 ~~31~~ thereafter, each collector that operates a program
10 collection site or one-day collection event shall report, to
11 the Agency and to the manufacturer e-waste program, the total
12 weight, by CED category, of residential CEDs transported from
13 the program collection site or one-day collection event during
14 the previous program year ~~its previous program year data on~~
15 ~~CEDs collected to the Agency and manufacturer clearinghouse to~~
16 ~~assist in satisfying a manufacturer's obligation pursuant to~~
17 ~~subsection (c) of Section 1-15.~~

18 (e) Each collector that operates a program collection site
19 or one-day event shall ensure that the collected residential
20 CEDs are sorted and loaded in compliance with local, State, and
21 federal law ~~and in accordance with best practices recommended~~
22 ~~by the recycler and Section 1-85 of this Act.~~ In addition, at a
23 minimum, the collector shall also comply with the following
24 requirements:

25 (1) residential ~~all~~ CEDs must be accepted at the
26 program collection site or one-day collection event unless

1 otherwise provided in this Act;

2 (2) residential CEDs shall be kept separate from other
3 material and shall be:

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

5 (B) loaded onto pallets and secured with plastic
6 wrap or in pallet-sized bulk containers prior to
7 shipping; and

8 (C) on average per collection site 18,000 pounds
9 per shipment, and if not then the recycler may charge
10 the collector a prorated ~~prorate~~ charge on the
11 shortfall in weight, not to exceed \$600; ~~-~~

12 (3) residential CEDs shall be sorted into the following
13 categories:

14 (A) computer monitors and televisions containing a
15 cathode-ray tube, other than televisions with wooden
16 exteriors;

17 (B) computer monitors and televisions containing a
18 flat panel screen;

19 (C) all ~~other~~ covered televisions that are
20 residential CEDs;

21 (D) computers;

22 (E) all other residential CEDs; and

23 (F) any electronic device that is not part of the
24 manufacturer program that the collector has arranged
25 to have picked up with residential CEDs and for which a
26 financial arrangement has been made to cover the

1 recycling costs outside of the manufacturer program;
2 ~~and~~

3 (4) containers holding the CEDs must be structurally
4 sound for transportation; ~~and.~~

5 (5) each shipment of residential CEDs from a program
6 collection site or one-day collection event shall include a
7 collector-prepared bill of lading or similar manifest,
8 which describes the origin of the shipment and the number
9 of pallets or bulk containers of residential CEDs in the
10 shipment.

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

17 (g) ~~(f)~~ No collector that operates a program collection
18 site or one-day collection event shall:

19 (1) accept, at the program collection site or one-day
20 collection event, more than 7 residential CEDs from an
21 individual at any one time; -

22 (2) scrap, salvage, dismantle, or otherwise
23 disassemble any residential CED collected at a program
24 collection site or one-day collection event;

25 (3) deliver to a manufacturer e-waste program, through
26 its recycler, any CED other than a residential CED

1 collected at a program collection site or one-day
2 collection event; or

3 (4) deliver to a person other than the manufacturer
4 e-waste program or its recycler, a residential CED
5 collected at a program collection site or one-day
6 collection event.

7 (h) ~~(g)~~ Beginning in program year 2019, registered
8 collectors participating in county supervised collection
9 programs may collect a fee for each desktop computer monitor or
10 television accepted for recycling to cover costs for collection
11 and preparation for bulk shipment or to cover costs associated
12 with the requirements of ~~cost for~~ subsection (e) of Section
13 1-45.

14 (i) ~~(h)~~ Nothing in this Act shall prevent a person ~~an~~
15 individual from acting as a collector independently of a
16 manufacturer e-waste program.

17 (Source: 100SB1417enr.)

18 (100SB1417enr., Sec. 1-50)

19 Sec. 1-50. Penalties.

20 (a) Except as otherwise provided in this Act, any person
21 who violates any provision of this Act is liable for a civil
22 penalty of \$7,000 per ~~\$1,000 for the~~ violation, provided that
23 the penalty for failure to register or pay a fee under this Act
24 shall be double the applicable registration fee.

25 (b) The penalties provided for in this Section may be

1 recovered in a civil action brought in the name of the people
2 of the State of Illinois by the State's Attorney of the county
3 in which the violation occurred or by the Attorney General. Any
4 penalties collected under this Section in an action in which
5 the Attorney General has prevailed shall be deposited in the
6 Environmental Protection Trust Fund, to be used in accordance
7 with the provisions of the Environmental Protection Trust Fund
8 Act.

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

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

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

25 (f) A knowing violation of subsections (a), (b), or (c) of
26 Section 1-83 of this Act by anyone other than a residential

1 consumer is a petty offense punishable by a fine of \$500. A
2 knowing violation of subsections (a), (b), or (c) of Section
3 1-83 by a residential consumer is a petty offense punishable by
4 a fine of \$25 for a first violation; however, a subsequent
5 violation by a residential consumer is a petty offense
6 punishable by a fine of \$50.

7 (g) Any person who knowingly makes a false, fictitious, or
8 fraudulent material statement, orally or in writing, to the
9 Agency, related to or required by this Act or any rule adopted
10 under this Act commits a Class 4 felony, and each such
11 statement or writing shall be considered a separate Class 4
12 felony. A person who, after being convicted under this
13 subsection (g), violates this subsection (g) a second or
14 subsequent time, commits a Class 3 felony.

15 (Source: 10000SB1417enr.)

16 (100SB1417enr., Sec. 1-55)

17 Sec. 1-55. Administrative citations.

18 (a) Any violation of a registration requirement in Sections
19 1-30, 1-40, or 1-45 of this Act, any violation of the reporting
20 requirement in paragraph (4) of subsection (b) of Section 1-10
21 of this Act, and any violation of a ~~the~~ plan submission
22 requirement in ~~subsection (a) of~~ Section 1-25 of this Act shall
23 be enforceable by administrative citation issued by the Agency.
24 Whenever Agency personnel shall, on the basis of direct
25 observation, determine that any person has violated any of

1 those provisions, the Agency may issue and serve, within 60
2 days after the observed violation, an administrative citation
3 upon that person. Each citation shall be served upon the person
4 named or the person's authorized agent for service of process
5 and shall include the following:

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

8 (2) the penalty imposed under subsection (d) of Section
9 1-50 of this Act for that violation; and

10 (3) an affidavit by the personnel observing the
11 violation, attesting to their material actions and
12 observations.

13 (b) If the person named in the administrative citation
14 fails to petition the Illinois Pollution Control Board for
15 review within 35 days after the date of service, then the Board
16 shall adopt a final order, which shall include the
17 administrative citation and findings of violation as alleged in
18 the citation and shall impose the penalty specified in
19 subsection (d) of Section 1-50 of this Act.

20 (c) If a petition for review is filed with the Board to
21 contest an administrative citation issued under this Section,
22 then the Agency shall appear as a complainant at a hearing
23 before the Board to be conducted pursuant to subsection (d) of
24 this Section at a time not less than 21 days after notice of
25 the hearing has been sent by the Board to the Agency and the
26 person named in the citation. In those hearings, the burden of

1 proof shall be on the Agency. If, based on the record, the
2 Board finds that the alleged violation occurred, then the Board
3 shall adopt a final order, which shall include the
4 administrative citation and findings of violation as alleged in
5 the citation, and shall impose the penalty specified in
6 subsection (d) of Section 1-50 of this Act. However, if the
7 Board finds that the person appealing the citation has shown
8 that the violation resulted from uncontrollable circumstances,
9 then the Board shall adopt a final order that makes no finding
10 of violation and imposes no penalty.

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

26 (Source: 100SB1417enr.)

1 (S.B. 1417, 100th G.A., Sec. 1-84 new)

2 Section 1-84. Allocation of financial responsibilities
3 among manufacturers.

4 (a) Within 9 months after its receipt of the rulemaking
5 proposal described in subsection (b) of this Section, the
6 Pollution Control Board shall adopt rules regarding the
7 allocation of financial responsibilities for the
8 transportation and recycling of collected residential CEDs
9 among manufacturers participating in a manufacturer e-waste
10 program. To ensure the equitable and efficient allocation of
11 those obligations, the rules adopted by the Pollution Control
12 Board shall include a formula that shall be used by
13 manufacturers to identify their proportional responsibility
14 for the transportation and recycling of collected residential
15 CEDs. The formula developed by the Pollution Control Board
16 shall take into consideration each manufacturer's market and
17 return shares and any other factors the Pollution Control Board
18 deems relevant. The rules adopted by the Pollution Control
19 Board under this Section shall also allow manufacturers to use
20 retail collection sites to satisfy some or all of their
21 responsibilities for the transportation and recycling of
22 collected residential CEDs.

23 (b) To assist the Pollution Control Board, there is hereby
24 created an Advisory Financial Responsibility Allocation Task
25 Force, which shall consist of the following members, to be

1 appointed by the Director of the Environmental Protection
2 Agency:

3 (1) one individual who is a representative of a
4 statewide association representing retailers;

5 (2) one individual who is a representative of a
6 statewide association representing manufacturers;

7 (3) one individual who is a representative of a
8 national association representing manufacturers of
9 consumer electronics; and

10 (4) one individual who is a representative of a
11 national association representing the information
12 technology industry.

13 As soon as practicable after the effective date of this
14 amendatory Act of the 100th General Assembly, members of the
15 Advisory Financial Responsibility Allocation Task Force shall
16 be appointed and meet. The Advisory Financial Responsibility
17 Allocation Task Force shall file with the Pollution Control
18 Board, by no later than October 1, 2017, a rulemaking proposal,
19 which sets forth a system for allocating financial
20 responsibilities for the transportation and recycling of
21 collected CEDs among manufacturers participating in a
22 manufacturer e-waste program.

23 Members of the Advisory Financial Responsibility
24 Allocation Task Force shall serve voluntarily and without
25 compensation.

26 Members of the Advisory Financial Responsibility

1 Allocation Task Force shall elect from their number a
2 chairperson. The Task Force shall meet initially at the call of
3 the Director of the Agency and thereafter at the call of the
4 chairperson. A simple majority of the members of the Task Force
5 shall constitute a quorum for the transaction of business, and
6 all actions and recommendations of the Task Force must be
7 approved by a simple majority of its members.

8 (c) The rulemaking required under this Section shall be
9 conducted in accordance with Title VII of the Environmental
10 Protection Act, except that no signed petitions for the
11 rulemaking proposal shall be required.

12 (d) The Agency shall provide administrative support to the
13 Task Force as needed.

14 (e) The Advisory Financial Responsibility Allocation Task
15 Force is dissolved by operation of law on January 1, 2019.

16 (100SB1417enr., Sec. 1-85)

17 Sec. 1-85. Advisory Electronics Recycling Task Force Best
18 practices.

19 (a) There is hereby created an Advisory Electronics
20 Recycling Task Force, which shall consist of the following 10
21 By November 1, 2018 and November 1 of each year thereafter, an
22 advisory stakeholder group shall submit a document, to be
23 approved annually by a majority of the stakeholder group, of
24 agreed to best practices to be used in the following program
25 year and made available on the Agency website. The best

1 ~~practices stakeholder group shall be made up of 8~~ members, to
2 be appointed by the Director of the Agency:

3 (1) two individuals who are ~~, including 2~~
4 representatives of county recycling programs;i τ

5 (2) two individuals who are ~~2~~ representatives of
6 recycling companies;i τ

7 (3) two individuals who are ~~2~~ representatives from the
8 manufacturing industry;i τ

9 (4) one individual who is a ~~one~~ representative of from
10 a statewide trade association representing retailers;i τ

11 (5) one individual who is a ~~one~~ representative of a
12 statewide trade association representing manufacturers;i τ

13 (6) one individual who is a one representative of a
14 statewide trade association representing waste disposal
15 companies;i τ and

16 (7) one individual who is a ~~one~~ representative of a
17 national trade association representing manufacturers.

18 Members of the Task Force shall be appointed as soon as
19 practicable after the effective date of this amendatory Act of
20 the 100th General Assembly, shall serve for 2-year terms, and
21 may be reappointed. Vacancies shall be filled by the Director
22 of the Agency for the remainder of the current term. Members
23 shall serve voluntarily and without compensation.

24 Members shall elect from their number a chairperson, who
25 shall also serve a 2-year term. The Task Force shall meet
26 initially at the call of the Director of the Agency and

1 thereafter at the call of the chairperson. A simple majority of
2 the members of the Task Force shall constitute a quorum for the
3 transaction of business, and all actions and recommendations of
4 the Task Force must be approved by a simple majority of its
5 members.

6 (b) By November 1, 2018, and each November 1 thereafter,
7 the Task Force shall submit, to the Agency for posting on the
8 Agency's website, a list of agreed-to best practices to be used
9 at program collection sites and one-day collection events in
10 the following program year. When establishing best practices,
11 the Task Force shall consider the desired intent to preserve
12 existing collection programs and relationships when possible.

13 (c) The Agency shall provide the Task Force with
14 administrative support as necessary.

15 (Source: 100SB1417enr.)

16 (100SB1417enr, Sec. 1-60 rep.)

17 Section 7. If and only if Senate Bill 1417 of the 100th
18 General Assembly becomes law, then Section 1-60 of the Consumer
19 Electronics Recycling Act is repealed.

20 Section 10. If and only if Senate Bill 1417 of the 100th
21 General Assembly becomes law, then Section 100 of the
22 Electronic Products Recycling and Reuse Act is amended as
23 follows:

1 (415 ILCS 150/100)

2 Sec. 100. Repeal. This Act is repealed on January 1, 2020
3 ~~2019~~.

4 (Source: 100SB1417enr.)

5 Section 99. Effective date. This Act takes effect upon
6 becoming law or on the date the Consumer Electronics Recycling
7 Act takes effect, whichever is later."