



Sen. Susan Garrett

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1 AMENDMENT TO SENATE BILL 2106

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 2106 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Electronic Products Recycling and Reuse Act  
5 is amended by changing Sections 5, 10, 30, 55, 60, and 65 as  
6 follows:

7 (415 ILCS 150/5)

8 Sec. 5. Findings and purpose.

9 (a) The General Assembly finds all of the following:

10 (1) Electronic products are the fastest growing  
11 portion of the solid waste stream. In 2007, 3,000,000 ~~2005,~~  
12 ~~2,600,000~~ tons of electronic products became obsolete yet  
13 only 14% ~~13%~~ of those products were recycled.

14 (2) Many electronic products contain lead, mercury,  
15 cadmium, hexavalent chromium, and other materials that  
16 pose environmental and health risks that must be managed.

1           (3) Many obsolete electronic products can be recycled  
2           or refurbished for reuse and then returned to the economic  
3           mainstream in the form of raw materials or products.

4           (4) Electronic products contain metals, plastics, and  
5           leaded glass that have resale value. The reuse of these  
6           components conserves natural resources and energy, and the  
7           reuse also reduces air and water pollution and greenhouse  
8           gas emissions.

9           (5) The A management of obsolete residential products  
10          is necessary to prioritize ~~place~~ the reuse and recycling of  
11          obsolete residential electronic products as the preferred  
12          management strategy over incineration and landfill  
13          disposal.

14          (6) The 2010 Recycling Economic Information Study  
15          Update for Illinois estimates that the total economic  
16          impact of recycling and reusing obsolete electronic  
17          products resulted in the creation of nearly 8,000 jobs and  
18          \$622 million in annual receipts. ~~The Illinois Recycling~~  
19          ~~Economic Information Study of 2001 estimates that the total~~  
20          ~~economic impact of establishing statewide recycling and~~  
21          ~~reuse programs for residential electronic products may~~  
22          ~~result in the creation of nearly 4,000 new jobs and \$740~~  
23          ~~million in annual receipts.~~

24          (7) The State-appointed Computer Equipment Disposal  
25          and Recycling Commission issued a final report in May 2006  
26          recommending legislative, regulatory, or other actions to

1 properly address the recycling and reuse of obsolete  
2 residential electronic products.

3 (b) The purpose of this Act is to set forth procedures by  
4 which the recycling and processing for reuse of covered  
5 electronic devices will be accomplished in Illinois.

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

7 (415 ILCS 150/10)

8 Sec. 10. Definitions. As used in this Act:

9 "Agency" means the Environmental Protection Agency.

10 "Cathode-ray tube" means a vacuum tube or picture tube used  
11 to convert an electronic signal into a visual image, such as a  
12 television or computer monitor.

13 "Collector" means a person who receives covered electronic  
14 devices or eligible electronic devices directly from a  
15 residence for recycling or processing for reuse. "Collector"  
16 includes, but is not limited to, manufacturers, recyclers, and  
17 refurbishers who receive CEDs or EEDs directly from the public.

18 "Computer", often referred to as a "personal computer" or  
19 "PC", means a desktop or notebook computer as further defined  
20 below and used only in a residence, but does not mean an  
21 automated typewriter, electronic printer, mobile telephone,  
22 portable hand-held calculator, portable digital assistant  
23 (PDA), MP3 player, or other similar device. "Computer" does not  
24 include computer peripherals, commonly known as cables, mouse,  
25 or keyboard. "Computer" is further defined as either:

1           (1) "Desktop computer", which means an electronic,  
2 magnetic, optical, electrochemical, or other high-speed  
3 data processing device performing logical, arithmetic, or  
4 storage functions for general purpose needs that are met  
5 through interaction with a number of software programs  
6 contained therein, and that is not designed to exclusively  
7 perform a specific type of logical, arithmetic, or storage  
8 function or other limited or specialized application.  
9 Human interface with a desktop computer is achieved through  
10 a stand-alone keyboard, stand-alone monitor, or other  
11 display unit, and a stand-alone mouse or other pointing  
12 device, and is designed for a single user. A desktop  
13 computer has a main unit that is intended to be  
14 persistently located in a single location, often on a desk  
15 or on the floor. A desktop computer is not designed for  
16 portability and generally utilizes an external monitor,  
17 keyboard, and mouse with an external or internal power  
18 supply for a power source. Desktop computer does not  
19 include an automated typewriter or typesetter; or

20           (2) "Notebook computer", which means an electronic,  
21 magnetic, optical, electrochemical, or other high-speed  
22 data processing device performing logical, arithmetic, or  
23 storage functions for general purpose needs that are met  
24 through interaction with a number of software programs  
25 contained therein, and that is not designed to exclusively  
26 perform a specific type of logical, arithmetic, or storage

1 function or other limited or specialized application.  
2 Human interface with a notebook computer is achieved  
3 through a keyboard, video display greater than 4 inches in  
4 size, and mouse or other pointing device, all of which are  
5 contained within the construction of the unit that  
6 comprises the notebook computer; supplemental stand-alone  
7 interface devices typically can also be attached to the  
8 notebook computer. Notebook computers can use external,  
9 internal, or batteries for a power source. Notebook  
10 computer does not include a portable hand-held calculator,  
11 or a portable digital assistant or similar specialized  
12 device. A notebook computer has an incorporated video  
13 display greater than 4 inches in size and can be carried as  
14 one unit by an individual. A notebook computer is sometimes  
15 referred to as a laptop computer.

16 "Computer monitor" means an electronic device that is a  
17 cathode-ray tube or flat panel display primarily intended to  
18 display information from a computer and is used only in a  
19 residence.

20 "Covered electronic device" or "CED" means any computer,  
21 computer monitor, television, or printer that is taken out of  
22 service from a residence in this State regardless of purchase  
23 location. "Covered electronic device" does not include any of  
24 the following:

25 (1) an electronic device that is a part of a motor  
26 vehicle or any component part of a motor vehicle assembled

1 by or for a vehicle manufacturer or franchised dealer,  
2 including replacement parts for use in a motor vehicle;

3 (2) an electronic device that is functionally or  
4 physically part of a larger piece of equipment or that is  
5 taken out of service from an industrial, commercial  
6 (including retail), library checkout, traffic control,  
7 kiosk, security (other than household security),  
8 governmental, agricultural, or medical setting, including  
9 but not limited to diagnostic, monitoring, or control  
10 equipment; or

11 (3) an electronic device that is contained within a  
12 clothes washer, clothes dryer, refrigerator, refrigerator  
13 and freezer, microwave oven, conventional oven or range,  
14 dishwasher, room air conditioner, dehumidifier, water  
15 pump, sump pump, or air purifier.

16 To the extent allowed under federal and State laws and  
17 regulations, a CED that is being collected, recycled, or  
18 processed for reuse is not considered to be hazardous waste,  
19 household waste, solid waste, or special waste.

20 "Developmentally disabled", as defined by the Illinois  
21 Department of Human Services, Division of Developmental  
22 Disabilities Program Manual, means having mental retardation  
23 or a related condition. For the purposes of this Act:

24 (1) "Mental retardation" means significantly  
25 subaverage general intellectual functioning as well as  
26 deficits in adaptive behavior that manifested before age

1       22. A person's general intellectual functioning is  
2       significantly subaverage if that person has an  
3       intelligence quotient (IQ) of 70 or below on standardized  
4       measures of intelligence. This upper limit, however, may be  
5       extended upward depending on the reliability of the  
6       intelligence test used.

7       (2) "Related condition" means a severe, chronic  
8       disability that (i) is attributable to cerebral palsy,  
9       epilepsy, or any other condition, other than mental  
10       illness, (ii) is found to be closely related to mental  
11       retardation because the condition results in impairment of  
12       general intellectual functioning or adaptive behavior  
13       similar to that of a person with mental retardation, and  
14       (iii) requires treatment or services similar to those  
15       required for persons with mental retardation. ~~means having~~  
16       ~~a severe disability, as defined by the Office of~~  
17       ~~Rehabilitation Services of the Illinois Department of~~  
18       ~~Human Services, that can be expected to result in death or~~  
19       ~~that has lasted, or is expected to last, at least 12 months~~  
20       ~~and that prevents working at a "substantial gainful~~  
21       ~~activity" level.~~

22       "Dismantling" means the demanufacturing and shredding of a  
23       CED.

24       "Eligible electronic device" or "EED" means any of the  
25       following electronic products taken out of service from a  
26       residence in this State regardless of purchase location: mobile

1 telephone; computer cable, mouse, or keyboard; stand-alone  
2 facsimile machine; MP3 player; portable digital assistant  
3 (PDA); video game console, video cassette recorder/player,  
4 digital video disk player, or similar video device; zip drive;  
5 or scanner. To the extent allowed under federal and state laws  
6 and regulations, an EED that is being collected, recycled, or  
7 processed for reuse is not considered to be hazardous waste,  
8 household waste, solid waste, or special waste.

9 "Low income children and families" mean those children and  
10 families that are subject to the most recent version of the  
11 United States Department of Health and Human Services Federal  
12 Poverty Guidelines.

13 "Manufacturer" means a person, or a successor in interest  
14 to a person, under whose brand or label a CED is or was sold at  
15 retail. For CEDs sold at retail under a brand or label that is  
16 licensed from a person who is a mere brand owner and who does  
17 not sell or produce the CED, the person who produced the CED or  
18 his or her successor in interest is the manufacturer. For CEDs  
19 sold that were at retail under the brand or label of both the  
20 retail seller and the person that produced the CED, the person  
21 that produced the CED, or his or her successor in interest, is  
22 the manufacturer. A retail seller of CEDs may elect to be the  
23 manufacturer of one or more CEDs if the retail seller provides  
24 written notice to the Agency that it is accepting  
25 responsibility as the manufacturer of the CED under this Act  
26 and identifies the CEDs for which it is electing to be the



1 manufacturer.

2 "Municipal joint action agency" means a municipal joint  
3 action agency created under Section 3.2 of the  
4 Intergovernmental Cooperation Act.

5 "Orphan CEDs" means those CEDs that are returned for  
6 recycling, or processing for reuse, whose manufacturer cannot  
7 be identified, or whose manufacturer is no longer conducting  
8 business and has no successor in interest.

9 "Person" means any individual, partnership,  
10 co-partnership, firm, company, limited liability company,  
11 corporation, association, joint stock company, trust, estate,  
12 political subdivision, State agency, or any other legal entity,  
13 or a legal representative, agent, or assign of that entity.

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

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

7 "Program Year" means a calendar year. The first program  
8 year is 2010.

9 "Recycler" means a person who engages in the recycling of  
10 CEDs or EEDs, but does not include telecommunications carriers,  
11 telecommunications manufacturers, or commercial mobile service  
12 providers with an existing recycling program.

13 "Recycling" means any method, technique, or process by  
14 which CEDs or EEDs that would otherwise be disposed of or  
15 discarded are instead collected, separated, or processed and  
16 are returned to the economic mainstream in the form of raw  
17 materials or products. "Recycling" includes the collection,  
18 transportation, dismantling, and shredding of the CEDs or EEDs.

19 "Refurbisher" means any person who processes CEDs or EEDs  
20 for reuse, but does not include telecommunications carriers,  
21 telecommunications manufacturers, or commercial mobile service  
22 providers with an existing recycling program.

23 "Residence" means a dwelling place or home in which one or  
24 more individuals live.

25 "Retailer" means a person who sells, rents, or leases,  
26 through sales outlets, catalogues, or the Internet, computers,

1 computer monitors, printers, or televisions at retail to  
2 individuals in this State. For purposes of this Act, sales to  
3 individuals at retail are considered to be sales for  
4 residential use. "Retailer" includes, but is not limited to,  
5 manufacturers who sell computers, computer monitors, printers,  
6 or televisions at retail directly to individuals in this State.

7 "Sale" means any retail transfer of title for consideration  
8 of title including, but not limited to, transactions conducted  
9 through sales outlets, catalogs, or the Internet or any other  
10 similar electronic means but does not mean financing or  
11 leasing.

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

19 "Underserved counties" means those counties so identified  
20 in Section 60.

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

22 (415 ILCS 150/30)

23 Sec. 30. Manufacturer responsibilities.

24 (a) Prior to April 1, 2009 for the first program year, and  
25 by October 1 for program year 2011 and thereafter,

1 manufacturers who offer ~~whose~~ computers, computer monitors,  
2 printers, or televisions for sale ~~are sold~~ in this State must  
3 register with the Agency. The registration must be submitted in  
4 the form and manner required by the Agency. The registration  
5 must include, without limitation, all of the following:

6 (1) a list of all of the manufacturer's brands of  
7 computers, computer monitors, printers, or televisions to  
8 be offered for sale in the next program year;

9 (2) for manufacturers of both televisions and  
10 computers, computer monitors, or printers, an  
11 identification of whether, for residential use, (i)  
12 televisions or (ii) computers, computer monitors, and  
13 printers, represent the larger number of units sold for the  
14 manufacturer; and

15 (3) a statement disclosing whether: ~~(A)~~ any computer,  
16 computer monitor, printer, or television sold in this State  
17 exceeds the maximum concentration values established for  
18 lead, mercury, cadmium, hexavalent chromium,  
19 polybrominated biphenyls (PBBs), and polybrominated  
20 diphenyl ethers (PBDEEs) under the RoHS (restricting the  
21 use of certain hazardous substances in electrical and  
22 electronic equipment) Directive 2002/95/EC of the European  
23 Parliament and Council and any amendments thereto and, if  
24 so, an identification of that computer, computer monitor,  
25 printer, or television; ~~or (B) the manufacturer has~~  
26 ~~received an exemption from one or more of those maximum~~

1 ~~concentration values under the RoHS Directive that has been~~  
2 ~~approved and published by the European Commission.~~

3 If, during the program year, a manufacturer's computer,  
4 computer monitor, printer, or television is sold or offered for  
5 sale in Illinois under a new brand that is not listed in the  
6 manufacturer's registration, then, within 30 days after the  
7 first sale or offer for sale under the new brand, the  
8 manufacturer must amend its registration to add the new brand.

9 (b) Prior to July 1, 2009 for the first program year, and  
10 by the November 1 preceding program years 2011 and later, all  
11 manufacturers whose computers, computer monitors, printers, or  
12 televisions are offered for sale ~~sold~~ in the State shall submit  
13 to the Agency, at an address prescribed by the Agency, the  
14 registration fee for the next program year. The registration  
15 fee for program ~~years~~ year 2010 and 2011 is \$5,000. In program  
16 year 2012, if, during the preceding program year, a  
17 manufacturer sold 250 or fewer computers, computer monitors,  
18 printers, and televisions in the State, then the registration  
19 fee for that manufacturer is \$1,250. In each program year after  
20 2012, if, in the preceding program year, a manufacturer sold  
21 250 or fewer computers, computer monitors, printers, and  
22 televisions in the State, then the registration fee for that  
23 manufacturer in that year is the fee that applied in the  
24 previous year to manufacturers that sold that number of items,  
25 increased by the applicable inflation factor as described  
26 below. In program year 2012, if, during the preceding program

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

24 (c) A manufacturer whose computers, computer monitors,  
25 printers, or televisions are first sold or offered for sale in  
26 this State on or after January 1 of a program year must

1 register with the Agency within 30 days after the first sale in  
2 accordance with subsection (a) of this Section and submit the  
3 registration fee required under subsection (b) of this Section  
4 prior to the manufacturer's computers, computer monitors,  
5 printers, or televisions being sold or offered for sale.

6 (d) Each manufacturer shall recycle or process for reuse  
7 CEDs and EEDs whose total weight equals or exceeds the  
8 manufacturer's individual recycling and reuse goal set forth in  
9 Section 19 of this Act. Individual consumers may not be charged  
10 an end-of-life fee when bringing their CEDs and EEDs to  
11 ~~permanent or temporary~~ collection locations, unless a  
12 financial incentive of equal or greater value, such as a  
13 coupon, is provided. Individual consumers shall not be charged  
14 a fee for the destruction or sanitization of data on hard  
15 drives and other data storage devices. Collectors may charge a  
16 fee for premium services such as curbside collection, home  
17 pick-up, or a similar method of collection.

18 When determining whether a manufacturer has met or exceeded  
19 its individual recycling and reuse goal set forth in Section 19  
20 of this Act, all of the following adjustments must be made:

21 (1) The total weight of CEDs processed ~~for reuse~~ by the  
22 manufacturer, its recyclers, or its refurbishers for reuse  
23 is quadrupled ~~doubled~~.

24 (2) The total weight of CEDs is quadrupled ~~tripled~~ if  
25 they are donated for reuse by the manufacturer to a primary  
26 or secondary public education institution the majority of

1 whose students are considered low income or  
2 developmentally disabled or to ~~a not-for-profit entity~~  
3 ~~that is established under Section 501(c)(3) of the Internal~~  
4 ~~Revenue Code of 1986 and whose principal mission is to~~  
5 ~~assist~~ low-income children or families or to assist the  
6 developmentally disabled in Illinois. This subsection  
7 applies only to CEDs for which the manufacturer has  
8 received a written confirmation that the recipient has  
9 accepted the donation. Copies of all written confirmations  
10 must be submitted in the annual report required under  
11 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) The total weight of CEDs will be tripled if they  
25 are collected, recycled, or refurbished for a manufacturer  
26 by a not-for-profit entity the majority of whose employees



1       are developmentally disabled. A manufacturer that uses a  
2       not-for-profit recycler or refurbisher the majority of  
3       whose employees are developmentally disabled shall submit  
4       documentation in the annual report required under Section  
5       30 identifying the name, location, and length of service of  
6       the entity that qualifies for credit under this subsection.

7       (e) Manufacturers of computers, computer monitors, or  
8       printers, either individually or collectively, shall hire an  
9       independent third-party auditor to perform statistically  
10      significant return share samples of CEDs received by recyclers  
11      and refurbishers for recycling or processing for reuse. Each  
12      third-party auditor shall perform a return share sample of CEDs  
13      for at least one 8-hour period, once a quarter during the  
14      program year at the facility of each registered recycler and  
15      refurbisher under contract with the manufacturer or group of  
16      manufacturers that has hired the auditor. The audit shall  
17      contain the following data:

18           (1) the number and weight of CEDs, sorted by brand name  
19           and product type, including a category for orphan CEDs;

20           (2) the total weight of the sample by product type;

21           (3) the date, location, and time of the sampling;

22           (4) the name or names of the manufacturer for whom the  
23           recycler is performing activities under this Act; and

24           (5) a certification by the third-party auditor that the  
25           sampling is statistically significant and, if not, an  
26           explanation as to what occurred to render the sampling

1 insignificant.

2 The manufacturer shall notify the Agency 30 days prior to  
3 the third-party auditor's return share sampling by providing  
4 the Agency with the time and date on which the third-party  
5 auditor will perform the return share sample. The Agency may,  
6 at its discretion, be present at any sampling event and may  
7 audit the methodology and the results of the third-party  
8 auditor.

9 No less than 30 days after the close of each calendar  
10 quarter, the manufacturer shall submit to the Agency the  
11 results of the third-party samplings conducted during the  
12 quarter. The results shall be submitted in the form and manner  
13 required by the Agency.

14 (f) Manufacturers shall ensure that only recyclers and  
15 refurbishers that have registered with the Agency are used to  
16 meet the individual recycling and reuse goals set forth in this  
17 Act.

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

1 refurbishers comply with the standards set forth in subsection  
2 (d) of Section 50.

3 (h) By August 15, 2009, television manufacturers shall  
4 submit to the Agency, in the form and manner required by the  
5 Agency, a report that contains the total weight of televisions  
6 sold under each of the manufacturer's brands to individuals ~~at~~  
7 ~~retail~~ in this State, as set forth in the reports to  
8 manufacturers by retailers under subsection (c) of Section 40.

9 (i) No later than September 1, 2010, television  
10 manufacturers must submit to the Agency, in the form and manner  
11 required by the Agency, a report for the period January 1, 2010  
12 through June 30, 2010 that contains both of the following:

13 (1) The total weight of televisions sold under each of  
14 the manufacturer's brands to individuals at retail in this  
15 State, from one of the following 2 sources, with the  
16 manufacturer indicating in the report which of the 2 data  
17 sources was used, and, if a national sales data report was  
18 used, the name of the national sales data source:

19 (A) the manufacturer's own sales reports; or

20 (B) national sales data reports obtained by the  
21 manufacturer and pro-rated to Illinois by multiplying  
22 the weight of the manufacturer's televisions sold  
23 nationally by the quotient that results from dividing  
24 the population of Illinois by the population of the  
25 United States. The population of Illinois and the  
26 United States shall be obtained using the most recent

1 U.S. census data.

2 (2) The total weight of computers, the total weight of  
3 computer monitors, the total weight of printers, the total  
4 weight of televisions, and the total weight of EEDs  
5 recycled or processed for reuse.

6 (j) By August 15, 2010, computer, computer monitor, and  
7 printer manufacturers shall submit to the Agency, on forms and  
8 in a format prescribed by the Agency, a report for the period  
9 January 1, 2010 through June 30, 2010 that contains the total  
10 weight of computers, the total weight of computer monitors, the  
11 total weight of printers, the total weight of televisions, and  
12 the total weight of EEDs, recycled or processed for reuse.

13 (k) No later than April 1 of program years 2011 and  
14 thereafter, television manufacturers shall submit to the  
15 Agency, in the form and manner required by the Agency, a report  
16 that contains all of the following information for the previous  
17 program year:

18 (1) The total weight of televisions sold under each of  
19 the manufacturer's brands to individuals at retail in this  
20 State, from one of the following 2 sources, with the  
21 manufacturer indicating in the report which of the two data  
22 sources was used, and, if a national sales data report was  
23 used, the name of the national sales data source:

24 (a) the manufacturer's own sales reports; or

25 (b) national sales data reports obtained by the  
26 manufacturer and pro-rated to Illinois by multiplying

1           the weight of the manufacturer's televisions sold  
2           nationally by the quotient that results from dividing  
3           the population of Illinois by the population of the  
4           United States. The population of Illinois and the  
5           United States shall be obtained using the most recent  
6           U.S. census data.

7           (2) The total weight of computers, the total weight of  
8           computer monitors, the total weight of printers, the total  
9           weight of televisions, and the total weight of EEDs  
10          recycled or processed for reuse.

11          (3) 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          (4) 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 Section 19  
19          of this Act.

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

22          (1) On or before January 31, 2013 and on or before every  
23          January 31 ~~No later than April 1 of program years 2011 and~~  
24          thereafter, computer, computer monitor, ~~and~~ printer, and  
25          television manufacturers shall submit to the Agency, on forms  
26          and in a format prescribed by the Agency, a report that

1 contains all of the following information for the previous  
2 program year:

3 (1) The ~~the~~ total weight of computers, the total weight  
4 of computer monitors, the total weight of printers, the  
5 total weight of televisions, and the total weight of EEDs  
6 recycled or processed for reuse. †

7 (2) The ~~the~~ identification of all weights that are  
8 adjusted under subsection (d) of this Section. For all  
9 weights adjusted under item (2) of subsection (d), the  
10 manufacturer must include copies of the written  
11 confirmation required under that subsection. †

12 (3) A ~~a~~ list of each recycler, refurbisher, and  
13 collector used by the manufacturer to fulfill the  
14 manufacturer's individual recycling and reuse goal set  
15 forth in subsection (c) of Section 15 of this Act. † ~~and~~

16 (4) A ~~a~~ summary of the manufacturer's consumer  
17 education program required under subsection (m) of this  
18 Section.

19 (m) Manufacturers must develop and maintain a consumer  
20 education program that complements and corresponds to the  
21 primary retailer-driven campaign required under Section 40 of  
22 this Act. The education program shall promote the recycling of  
23 electronic products and proper end-of-life management of the  
24 products by consumers.

25 (n) Beginning January 1 2010, no manufacturer may sell a  
26 computer, computer monitor, printer, or television in this

1 State unless the manufacturer is registered with the State as  
2 required under this Act, has paid the required registration  
3 fee, and is otherwise in compliance with the provisions of this  
4 Act.

5 (o) Beginning January 1, 2010, no manufacturer may sell a  
6 computer, computer monitor, printer, or television in this  
7 State unless the manufacturer's brand name is permanently  
8 affixed to, and is readily visible on, the computer, computer  
9 monitor, printer, or television.

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

11 (415 ILCS 150/55)

12 Sec. 55. Collector responsibilities.

13 (a) No later than January 1 of each program year,  
14 collectors that collect or receive CEDs or EEDs for one or more  
15 manufacturers, recyclers, or refurbishers shall register with  
16 the Agency. Registration must be in the form and manner  
17 required by the Agency and must include, without limitation,  
18 the address of each location where CEDs or EEDs are received  
19 and the identification of each location at which the collector  
20 accepts CEDs or EEDs from a residence.

21 (b) Manufacturers, recyclers, refurbishers also acting as  
22 collectors shall so indicate on their registration under  
23 Section 30 or 50 and not register separately as collectors.

24 (c) No later than August 15, 2010, collectors must submit  
25 to the Agency, on forms and in a format prescribed by the

1 Agency, a report for the period from January 1, 2010 through  
2 June 30, 2010 that contains the following information: the  
3 total weight of computers, the total weight of computer  
4 monitors, the total weight of printers, the total weight of  
5 televisions, and the total weight of EEDs collected or received  
6 for each manufacturer.

7 (d) By January 31 ~~No later than May 1~~ of each program year,  
8 collectors must submit to the Agency, on forms and in a format  
9 prescribed by the Agency, a report that contains the following  
10 information for the previous program year:

11 (1) The ~~the~~ total weight of computers, the total weight  
12 of computer monitors, the total weight of printers, the  
13 total weight of televisions, and the total weight of EEDs  
14 collected or received for each manufacturer during the  
15 previous program year.

16 (2) A ~~a~~ list of each recycler and refurbisher that  
17 received CEDs and EEDs from the collector and the total  
18 weight each recycler and refurbisher received.

19 (3) The ~~the~~ address of each collector's facility where  
20 the CEDs and EEDs were collected or received. Each facility  
21 address must include the county in which the facility is  
22 located.

23 (e) Collectors may accept no more than 10 CEDs or EEDs at  
24 one time from individual members of the public and, when  
25 scheduling collection events, shall provide no fewer than 30  
26 days' notice to the county waste agency of those events.



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

2 (415 ILCS 150/60)

3 Sec. 60. Collection strategy for underserved counties.

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

11 (b) For program year 2012 and each program year thereafter,  
12 "underserved counties" means those counties within the State of  
13 Illinois with a population density of not more than than 190  
14 persons per square mile, based on the most recent U.S. Census  
15 data. For program years 2011 and later, underserved counties  
16 shall be counties in this State that, during the program year 2  
17 years prior, were not served by a minimum of one collection  
18 site that (i) accepted all types of CEDs and EEDs and (ii) was  
19 open for a minimum of 8 hours on at least one day per month of  
20 that program year. For the purposes of this subsection (b),  
21 2009 shall be considered to have been a program year, and for  
22 the program year 2012 the determination of whether a county is  
23 underserved shall be based on the criteria of this subsection  
24 (b) instead of the county's inclusion in the list set forth in  
25 subsection (a) of this Section.

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

2 (415 ILCS 150/65)

3 Sec. 65. State government procurement.

4 (a) The Department of Central Management Services shall  
5 ensure that all bid specifications and contracts for the  
6 purchase or lease of desktop computers, laptop or notebook  
7 computers, and computer monitors, by State agencies under a  
8 statewide master contract require that the electronic products  
9 have a Bronze performance tier or higher registration under the  
10 Electronic Product Environmental Assessment Tool ("EPEAT")  
11 operated by the Green Electronics Council.

12 (b) The Department of Central Management Services shall  
13 ensure that bid specifications and contracts for the purchase  
14 or lease of televisions and printers by State agencies under a  
15 statewide master contract require that the printers or  
16 televisions have a Bronze performance tier or higher  
17 registration under EPEAT if the Department determines that  
18 there are an adequate number of the televisions or printers  
19 registered under EPEAT to provide a sufficiently competitive  
20 bidding environment.

21 (c) This Section applies to bid specifications issued, and  
22 contracts entered into, on or after January 1, 2010.

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

24 Section 99. Effective date. This Act takes effect upon

1 becoming law.".