

BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 879

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 9, strike “destroy or sanitize” and substitute “provide information relating to the destruction and sanitization of”; in line 12, after “fines;” insert “declaring the intent of the General Assembly; requiring the Department to convene a certain workgroup and report to certain Legislative Committees on or before a certain date; altering a certain definition;”; and in line 16, after “Section” insert “9-1701(f).”

AMENDMENT NO. 2

On page 1, after line 26, insert:

“9-1701.

(f) “Covered electronic device takeback program” means a program, established by a covered electronic device manufacturer **OR A GROUP OF COVERED ELECTRONIC DEVICE MANUFACTURERS**, for the collection and recycling, refurbishing, or reuse of a covered electronic device labeled with the name of the manufacturer or the manufacturer’s brand label, including:

(1) Providing, at no cost to the returner, a method of returning a covered electronic device to the manufacturer, including postage paid mailing packages or designated collection points throughout the State;

(2) Contracting with a recycler, local government, other manufacturer, or any other person; or

(3) Any other program approved by the Department.”.

(Over)

AMENDMENT NO. 3

On page 3, in line 25, after “**ACCORDANCE**” insert “**WITH**”; and in line 30, after “**YEAR;**” insert “**AND**”.

On page 4, in line 2, strike “**250**” and substitute “**100**”; strike beginning with the semicolon in line 3 down through “**YEAR**” in line 6; in line 10, after “**(I)**” insert “**1. ON OR AFTER MARCH 1, 2013, AND BEFORE MARCH 1, 2016,**”; in line 11, after the semicolon insert “**AND**”

**2. ON OR AFTER MARCH 1, 2016, \$5,000 FOR A MANUFACTURER THAT SOLD AT LEAST 1,000 COVERED ELECTRONIC DEVICES IN THE STATE IN THE PRIOR YEAR; AND**;

in line 13, strike “**250**” and substitute “**100**”; strike beginning with the semicolon in line 14 down through “**YEAR**” in line 17; and in line 22, strike “**50**” and substitute “**100**”.

AMENDMENT NO. 4

On page 5, in line 17, before “**A**” insert “**(A)**”; in line 18, strike the colon and substitute “**INCLUDE EDUCATIONAL AND INSTRUCTIONAL MATERIALS RELATING TO THE DESTRUCTION AND SANITIZATION OF DATA FROM A COVERED ELECTRONIC DEVICE:**”

**(1) WITH EACH NEW COVERED ELECTRONIC DEVICE SOLD OR OFFERED FOR SALE IN THE STATE;**

**(2) ON THE MANUFACTURER’S COVERED ELECTRONIC DEVICE TAKEBACK PROGRAM WEB SITE; OR**

(3) AS INFORMATION PROVIDED THROUGH THE MANUFACTURER'S COVERED ELECTRONIC DEVICE TAKEBACK PROGRAM TOLL-FREE NUMBER.

(B) A MANUFACTURER THAT IS PARTICIPATING IN A COVERED ELECTRONIC DEVICE TAKEBACK PROGRAM ESTABLISHED BY A GROUP OF COVERED ELECTRONIC DEVICE MANUFACTURERS SHALL BE CONSIDERED AS HAVING IMPLEMENTED A COVERED ELECTRONIC DEVICE TAKEBACK PROGRAM UNDER THIS PART.”;

and strike in their entirety lines 19 through 23, inclusive.

AMENDMENT NO. 5

On page 6, after line 5, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that the annual registration fee collected under § 9-1728(c)(3) of this Act be increased to \$10,000 for a 3-year period beginning March 1, 2013, to provide incentives for manufacturers to implement a covered electronic device takeback program for Maryland returners.

SECTION 3. AND BE IT FURTHER ENACTED, That:

(a) On or before October 1, 2015, the Secretary of the Environment shall convene a workgroup consisting of representatives of the various sectors of the electronics industry and representatives from appropriate public and private entities to review and assess the impact of the \$10,000 annual registration fee collected under § 9-1728(c)(3) of the Environment Article, as enacted by Section 1 of this Act, on the number of covered electronic device takeback programs implemented by manufacturers.

(Over)

(b) On or before December 31, 2015, in accordance with § 2-1246 of the State Government Article, the Department of the Environment shall report the findings and recommendations of the workgroup established under subsection (a) of this section to the Legislative Policy Committee, the House Environmental Matters Committee, the Senate Finance Committee, and the Senate Education, Health, and Environmental Affairs Committee.”;

and in line 6, strike “2.” and substitute “4.”.