

# HOUSE BILL 448

P2

2lr1805  
CF 2lr2491

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By: **Delegates Morhaim and Reznik**

Introduced and read first time: February 1, 2012

Assigned to: Health and Government Operations

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Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 7, 2012

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Procurement – Preferences – ~~Computer Purchasing and Electronics~~**  
3 **Recycling Purchasing and Recycling Electronic Products**

4 FOR the purpose of requiring a State unit to purchase ~~computers~~ certain electronic  
5 products that are listed on the Electronic Product Environmental Assessment  
6 Tool registry or meet certain standards when purchasing ~~computers~~ electronic  
7 products for use by the State; requiring a State unit to award a procurement  
8 contract to ~~a certain certified electronics recycler~~ certain recyclers of electronic  
9 products when awarding a procurement contract for ~~electronics recycling~~  
10 ~~services~~ services to recycle electronic products; defining certain terms; and  
11 generally relating to the procurement preferences for ~~computer purchasing and~~  
12 ~~electronics recycling~~ purchasing and recycling electronic products.

13 BY adding to

14 Article – State Finance and Procurement

15 Section 14–413 and 14–414

16 Annotated Code of Maryland

17 (2009 Replacement Volume and 2011 Supplement)

18 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
19 MARYLAND, That the Laws of Maryland read as follows:

20 **Article – State Finance and Procurement**

21 **14–413.**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1       **(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE**  
2 **MEANINGS INDICATED.**

3               **(2) “ELECTRONIC PRODUCT” MEANS A PRODUCT COVERED BY**  
4 **EPEAT OR ANOTHER COMPREHENSIVE ENVIRONMENTAL RATING SYSTEM**  
5 **APPROVED BY THE DEPARTMENT OF INFORMATION TECHNOLOGY.**

6               **(3) “EPEAT” MEANS THE ELECTRONIC PRODUCT**  
7 **ENVIRONMENTAL ASSESSMENT TOOL.**

8       **(B) WHEN PURCHASING ~~COMPUTERS~~ AN ELECTRONIC PRODUCT TO BE**  
9 **USED BY THE STATE, A STATE UNIT SHALL PURCHASE ~~COMPUTERS~~ AN**  
10 **ELECTRONIC PRODUCT THAT ~~ARE LISTED ON THE ELECTRONIC PRODUCT~~**  
11 **~~ENVIRONMENTAL ASSESSMENT TOOL REGISTRY:~~**

12               **(1) IS LISTED AND RATED SILVER OR GOLD ON THE EPEAT**  
13 **REGISTRY; OR**

14               **(2) MEETS NATIONALLY RECOGNIZED AND CONSENSUS-BASED**  
15 **STANDARDS ESTABLISHED BY A COMPREHENSIVE ENVIRONMENTAL RATING**  
16 **SYSTEM APPROVED BY THE DEPARTMENT OF INFORMATION TECHNOLOGY.**

17       **(C) IF A UNIT REQUESTS A WAIVER FROM THE REQUIREMENT IN**  
18 **SUBSECTION (B) OF THIS SECTION, THE SECRETARY OF INFORMATION**  
19 **TECHNOLOGY, OR THE SECRETARY’S DESIGNEE, MAY WAIVE THE**  
20 **REQUIREMENT.**

21 14-414.

22       ~~**WHEN AWARDING A PROCUREMENT CONTRACT FOR ELECTRONICS**~~  
23 ~~**RECYCLING SERVICES, A STATE UNIT SHALL AWARD THE CONTRACT TO AN**~~  
24 ~~**ELECTRONICS RECYCLER THAT IS R2 OR E STEWARDS CERTIFIED.**~~

25       **(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE**  
26 **MEANINGS INDICATED.**

27               **(2) “CERTIFIED E-STEWARDS RECYCLER” MEANS A RECYCLER**  
28 **OF ELECTRONIC PRODUCTS THAT HAS SUCCESSFULLY COMPLETED THE**  
29 **E-STEWARDS CERTIFICATION PROGRAM CREATED BY THE BASEL ACTION**  
30 **NETWORK.**

31               **(3) “ELECTRONIC PRODUCT” MEANS A PRODUCT RECYCLED BY:**

1                   **(I) A CERTIFIED E-STEWARDS RECYCLER;**

2                   **(II) A R2 CERTIFIED RECYCLER; OR**

3                   **(III) A RECYCLER OF ELECTRONIC PRODUCTS THAT MEETS**  
4 **NATIONALLY RECOGNIZED AND CONSENSUS-BASED GUIDELINES, STANDARDS,**  
5 **AND SYSTEMS FOR RECYCLING THAT ARE APPROVED BY THE DEPARTMENT OF**  
6 **THE ENVIRONMENT IN CONSULTATION WITH THE DEPARTMENT OF GENERAL**  
7 **SERVICES.**

8                   **(4) "R2 CERTIFIED RECYCLER" MEANS A RECYCLER OF**  
9 **ELECTRONIC PRODUCTS THAT IS CERTIFIED IN THE R2 PRACTICES STANDARDS**  
10 **THAT ARE MAINTAINED BY R2 SOLUTIONS.**

11                   **(B) ON OR AFTER OCTOBER 1, 2014, WHEN AWARDING A**  
12 **PROCUREMENT CONTRACT FOR SERVICES TO RECYCLE ELECTRONIC**  
13 **PRODUCTS, A STATE UNIT SHALL AWARD THE CONTRACT TO A RECYCLER OF**  
14 **ELECTRONIC PRODUCTS THAT:**

15                   **(1) IS R2 OR E-STEWARDS CERTIFIED; OR**

16                   **(2) MEETS NATIONALLY RECOGNIZED AND CONSENSUS-BASED**  
17 **GUIDELINES, STANDARDS, AND SYSTEMS FOR RECYCLING THAT ARE APPROVED**  
18 **BY THE DEPARTMENT OF THE ENVIRONMENT IN CONSULTATION WITH THE**  
19 **DEPARTMENT OF GENERAL SERVICES.**

20                   SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
21                   October 1, 2012.

Approved:

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Governor.

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Speaker of the House of Delegates.

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President of the Senate.