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Committee: Education, Energy, and the Environment
Testimony on: SB 655 Electronic Devices Producer Responsibility Program
Position: Favorable with Amendments
Hearing Date: February 24, 2026

Dear Chair Feldman, Vice Chair Kagan, and Members of the Committee:

On behalf of Consumer Technology Association (CTA), we respectfully urge a favorable report with amendments for SB655, establishing a producer responsibility program for electronic devices.

CTA is the trade association representing the U.S. consumer technology industry, including manufacturers of the electronic devices in scope of the requirements in SB655. Our members are the world's leading innovators – from startups to global brands to retailers – helping support more than 18 million American consumer technology jobs. As an industry, we have supported the proper collection and recycling of electronics at end of life via voluntary, manufacturer led programs in combination with state mandated programs ensuring electronics are sent to responsible, certified electronics recycling facilities across the U.S.

For the past two decades, CTA's member companies established and operated extended producer responsibility (EPR) programs in 24 states plus the District of Columbia. In fact, Maryland has an existing EPR law for electronics which passed in 2005.¹ Maryland's current law is a unique structure that does not mirror any other state.

It is important to understand that electronics do not follow a standard EPR model like paint or mattresses. There is no single Producer Responsibility Organization (PRO) that operates for electronics here in the U.S. Since the first law passed 20 years ago, the states that have adopted EPR for electronics have not followed one standard model. Instead, the industry has explored numerous program structures and learned along the way what works best and what has presented challenges. Several states have updated existing laws in recent years and programs require engagement across all stakeholders to respond to the needs of individual state structures.

At the core, an EPR structure for electronics must be market driven. Unlike EPR for other products, there are unique concerns with electronics that drive the need for a more unique approach including concerns on protecting data in the recycling system and international restrictions around the movement of certain commodity types generated from the electronics

¹ More information on Maryland's eCycling program can be found at <https://mde.maryland.gov/programs/land/WasteManagement/Pages/eCycling.aspx>.

recycling process. In other words, recycling an electronic is not the same as recycling a cardboard box or aluminum can.

What Industry Supports

We appreciate the intent of SB655 to update Maryland's existing electronics EPR program. There are several areas of commonality from a high-level perspective which CTA supports including:

- Increasing free and convenient recycling opportunities for consumers once electronic devices reach their end of life;
- Fair financial compensation for local governments; and
- Manufacturer vetted and approved electronics recyclers.

However, like any legislation, the details are extremely important, and there are several areas where the language in SB655 is misaligned with industry's position on electronics EPR. Therefore, CTA is seeking amendments to SB655.

Challenges with SB655

There are several areas of concern for CTA in the current language which includes:

- **Clearinghouse Structure vs. Traditional PRO:** As tested in states like Illinois, a manufacturer clearinghouse should serve in lieu of a single (or traditional) PRO and coordinate among manufacturer plans (independent or group plans) to ensure convenient coverage and consumer education in the state and submit information (plans, reports) to the Maryland Department of the Environment (MDE).
 - While the bill allows for collaboration via a clearinghouse, that only occurs after plans are submitted to MDE. Coordination must occur ahead of plan submission as we have learned the challenges of coordinating after plan submission in Oregon.
 - Electronics EPR programs must be market driven and therefore a single (or traditional) PRO structure does not work for electronics. Additionally, manufacturers must retain control of working with their preferred electronics recycling partners who are vetted and audited against both industry and individual manufacturer standards. This ensures devices and the commodity outputs are being properly managed along with the personal data contained on many electronic devices.
 - MDE must be responsible for manufacturer registration, market share determination, plan and annual report approvals, and enforcement over the program. However, the Clearinghouse will help streamline the submission of information into MDE providing needed program efficiencies.
- **Consumer Focus:** The focus must be on recycling electronics at end of life from consumers (aka households) within Maryland. Businesses and public sector entities can include end of life management as part of their service contract when purchasing electronic devices and should not be covered by an EPR program. The requirement to collect electronics from businesses and public sector entities should be removed.
- **Recycling Focus:** While reuse of products should be encouraged, reuse should not be part of an EPR system. EPR is meant as a financing mechanism for products at their

end of life; not for products entering their second life or beyond. The language in SB655 needs clarified to ensure the focus is on recycling products at end of life only.

- **Avoid Added Bureaucracy:** The proposal calls for an Advisory Board which creates unnecessary bureaucratic structure and oversight that could instead be managed directly by MDE via plan approval. Many program requirements that could be easily incorporated into the legislation are also left to the regulatory development process, adding more burden for MDE. Streamlining a program that can get off its feet quickly should be the priority.
- **New Products for EPR:** CTA recognizes that new devices may need to enter the electronics EPR system but does not support the ability of MDE to add products via regulation. Rather, this is the appropriate use of an advisory council that could evaluate new products against compatibility with the electronics collection and recycling infrastructure along with other factors and make recommendations to the legislature to add new products to the electronics EPR system.


There are additional concerns and CTA welcomes the opportunity to discuss the details of the proposed legislation with the Committee.

Next Steps for SB655

CTA looks forward to continued engagement with the Maryland Legislature and Senator Augustine on amendments to address the above concerns. We appreciate the collaboration to date and look forward to future discussions.

If you should have any questions, please do not hesitate to contact me at kreilly@cta.tech.

Sincerely,

A handwritten signature in black ink, appearing to read 'Katie Reilly', with a stylized flourish extending from the end.

Katie Reilly
VP, Environmental Affairs and Industry Sustainability
Consumer Technology Association