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# A BILL FOR AN ACT

RELATING TO THE ENVIRONMENT.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

PART I

SECTION 1. The legislature finds that solid waste may soon exceed landfill capacity in all of the State's counties. Most waste created in the State is landfilled or incinerated, which places the burden for managing waste on taxpayers, is costly, and creates pollution that is harmful to residents and the environment. Landfills discharge leachate, a highly toxic fluid that has the potential for leakage that can cause harm to surrounding communities and nearshore and marine environments downslope. The Waimanalo gulch landfill on Oahu produces around nine thousand eight hundred gallons of leachate per day. Waste that is incinerated produces air pollutants and toxic ash; this toxic ash is often buried in landfills. On Oahu, more than four hundred tons of toxic ash are buried in the landfill every day. The legislature finds that the State will benefit from reduced waste production by expanding alternative strategies like reuse, refill, composting, and recycling.



1       The legislature further finds that extended producer  
2   responsibility promotes a market-based, circular economy that  
3   encourages alternative waste management strategies as well as  
4   product design innovations that lead to source reduction of  
5   waste. Extended producer responsibility programs shift  
6   responsibility for a product's lifecycle, including end-of-life  
7   management, from consumers or governments to producers of the  
8   product. This encourages sustainable product design that leads  
9   to less waste and more fully recyclable or reusable products and  
10  packaging. Extended producer responsibility programs also  
11  typically reduce the financial burden on government for waste  
12  management and lead to better recycling services for residents.  
13  Furthermore, these programs help create local jobs by expanding  
14  collection services, local processing of waste, and reuse and  
15  refill programs.

16       The legislature finds that extended producer responsibility  
17  strategies can be applied to packaging waste as well. Packaging  
18  waste is a large part of the waste stream and includes  
19  containers for food products, cleaning products, and personal  
20  care products, as well as waste associated with shipping and  
21  transporting products. Extended producer responsibility



1 programs for packaging waste exist in Asia, Europe, Canada, and  
2 five states across the United States. Furthermore, several  
3 other states are in the process of implementing programs by  
4 funding needs assessments, a necessary preliminary step to  
5 inform the development of an extended producer responsibility  
6 program.

7 The purpose of this part is to:

- 8 (1) Clarify the authorized uses of the deposit beverage  
9 container deposit special fund to include evaluating  
10 and promoting recyclable market development  
11 activities; and
- 12 (2) Require and appropriate funds for the department of  
13 health to conduct a statewide needs assessment and  
14 establish an advisory council with relevant  
15 stakeholders to determine what would be needed to  
16 transition to a more circular system with less waste  
17 generation and more reuse, and the necessary  
18 infrastructure to sort and locally process recyclable  
19 materials through an extended producer responsibility  
20 program for packaging materials and paper products.



SECTION 2. Section 342G-104, Hawaii Revised Statutes, is amended by amending subsection (b) to read as follows:

"(b) Moneys in the deposit beverage container deposit special fund shall be used to reimburse refund values and pay handling fees to redemption centers. The department may also use the money to:

(1) Fund administrative, audit, and compliance activities associated with collection and payment of the deposits and handling fees of the deposit beverage container program;

(2) Conduct recycling education and demonstration projects;

(3) [~~Promote~~] Evaluate and promote recyclable market development activities;

(4) Support the handling and transportation of the deposit beverage containers to end-markets;

(5) Hire personnel to oversee the implementation of the deposit beverage container program, including permitting and enforcement activities; and

(6) Fund associated office expenses."



1       SECTION 3. (a) The department of health shall conduct a  
2 statewide needs assessment to determine what will be needed to  
3 reduce waste generation, increase reuse, improve collection  
4 services, and expand local processing of materials through an  
5 extended producer responsibility program for packaging materials  
6 and paper products.

7       (b) The needs assessment shall detail the resources  
8 required in each county to reduce as much as feasible the  
9 packaging materials waste and paper products that the county  
10 sends to a landfill or power plant that burns municipal solid  
11 waste. Additionally, the needs assessment shall consider the  
12 following:

13       (1) Waste and recycling characterizations, including  
14 baseline studies of what is in the waste stream, what  
15 is being recycled, what is being composted, and how  
16 these vary across local jurisdictions;

17       (2) Existing collection infrastructure, including:

18           (A) What materials are being collected and the  
19 processes and procedures for collection;

20           (B) Who currently has access to refuse, recycling,  
21 and composting collection services;



- 1 (C) How collection services are arranged and funded;  
2 and  
3 (D) Improvements in services needed;
- 4 (3) Processing and materials recovery facility  
5 infrastructure, including:  
6 (A) How collected materials are currently being  
7 processed and marketed;  
8 (B) Whether the sorting technology is up to date;  
9 (C) Whether there is sufficient capacity to process  
10 the volume of materials;  
11 (D) Opportunities and infrastructure needed for more  
12 local processing of materials; and  
13 (E) Costs to implement infrastructure improvements;
- 14 (4) Markets, including the state of markets for recovered  
15 materials and finished compost;
- 16 (5) Education, including the effectiveness of the existing  
17 outreach in educating residents;
- 18 (6) Levels of contamination in collected packaging  
19 materials and organics for composting;



(7) The impact of the composition of packaging materials on the reuse, recyclability, and compostability of packaging materials;

(8) An evaluation of how extended producer responsibility program laws are designed and work in other states and countries;

(9) An evaluation of an appropriate definition of "producer" for an extended producer responsibility program in the State;

(10) Equity and environmental justice, including:

(A) Consideration of how the existing system is operating and how extended producer responsibility could increase equity; and

(B) An assessment of equity issues in education efforts;

(11) Economic impact, including estimates in job development from increased reuse, recycling, and composting;

(12) Environmental benefits from reduction and reuse and local versus off-island materials processing;



1 (13) How extended producer responsibility can promote  
2 upstream improvement, such as source reduction,  
3 packaging redesign and optimization, and reduction of  
4 packaging materials that are harmful to human health  
5 or the environment, and reuse and refill practices,  
6 including:

7 (A) Identifying opportunities for source reduction,  
8 reuse, and refill in packaging systems; and

9 (B) Cost and infrastructure needs to implement these  
10 systems; and

11 (14) Suggested diversion targets and timeline using  
12 baseline data from the needs assessment to determine  
13 the resources, infrastructure, educational program,  
14 and other initiatives needed to reach conservative,  
15 moderate, and aggressive waste reduction goal  
16 scenarios.

17 (c) The department of health shall conduct the assessment  
18 in consultation with the following stakeholders:

19 (1) Each county department responsible for waste  
20 management;





(2) Global and national producer responsibility organizations, including producer responsibility organizations actively working on reusable packaging systems;

(3) Producers of packaging materials and paper products;

(4) Refuse and recycling collection and processing service providers;

(5) Compost facility operators;

(6) Retailers, including restaurants, wholesalers, and distributors;

(7) Organizations and community groups involved with waste management and waste reduction; and

(8) Environmental and human health scientists;

provided that additional stakeholders may be included as the department deems necessary and relevant.

(d) The department of health shall convene an advisory council to review the draft needs assessment and propose recommendations throughout the assessment process. The advisory council shall include the following members selected or invited by the director of health:



- 1 (1) One representative from each county department
- 2 responsible for waste management;
- 3 (2) One representative from a national producer or
- 4 producer trade association;
- 5 (3) One representative from a Hawaii-based producer or
- 6 producer association;
- 7 (4) Two representatives who are experts or operators of
- 8 reuse, refill, or circular economy systems;
- 9 (5) One representative from a Hawaii-based refuse service
- 10 provider;
- 11 (6) One representative from a Hawaii-based recycling
- 12 collection and processing service provider;
- 13 (7) One representative from a Hawaii-based retailer;
- 14 (8) One representative from a Hawaii-based restaurant;
- 15 (9) One representative from a Hawaii-based wholesaler;
- 16 (10) One representative from a Hawaii-based distributor of
- 17 food products;
- 18 (11) Two representatives from Hawaii-based organizations
- 19 and community groups involved with waste management or
- 20 relevant environmental advocacy;



1 (12) One representative who is an environmental or human  
2 health scientist;

3 (13) One representative from a business that manufactures  
4 consumer packaged goods for sale in the State; and

5 (14) One representative from the composting industry.

6 (e) The department of health shall hold a public hearing  
7 to obtain comments on the draft needs assessment.

8 (f) The department of health shall complete and submit the  
9 needs assessment, including any proposed legislation, to the  
10 legislature no later than December 31, 2028.

11 (g) For the purposes of this section:

12 "Packaging materials" includes materials used for the  
13 containment, protection, or serving of products, including but  
14 not limited to paper, paperboard, cardboard, plastics, glass, or  
15 metal, or a mixture of any of these materials. "Packaging  
16 materials" excludes deposit beverage containers included under  
17 the Hawaii deposit beverage container program.

18 "Paper products" includes printed materials such as office  
19 paper, magazines, newspaper, and junk mail. "Paper products"  
20 does not include bound books.



1 "Refill" means the employment of packaging materials that  
2 consumers reuse.

3 "Reuse" means the return of or to return packaging  
4 materials to the economic stream for use in the same kind of  
5 application intended for the original packaging without changing  
6 the original composition of the package, the identity of the  
7 product, or the components thereof.

8 PART II

9 SECTION 4. The legislature finds that Act 151, Session  
10 Laws of Hawaii 2022 (Act 151), amended the Electronic Device  
11 Recycling and Recovery Act to make wholesale changes to the  
12 state electronic waste recycling program. The purpose of Act  
13 151 included, among other things, expanding the definition of  
14 "electronic waste" to cover more electronic devices,  
15 establishing manufacturer recycling goals, and requiring  
16 manufacturers to pay for convenient recycling options for  
17 consumers.

18 However, the changes made through Act 151 have been slow to  
19 increase the number of electronic waste collection sites and  
20 make recycling electronic waste more convenient for residents of  
21 the State. In addition, in the implementation of Act 151,



1 manufacturers have struggled to comply with all new  
2 requirements, especially due to increased weight targets and  
3 increased penalties for failing to meet the electronic device  
4 collection requirements. Weight targets have been particularly  
5 problematic since the weights of electronic devices have  
6 decreased over time, and for that reason, many other states and  
7 localities have moved away from using weight requirements.

8 The legislature further finds that incentivizing more  
9 permanent electronic waste recycling sites and events and adding  
10 certain legacy and peripheral devices to the law will expand  
11 recycling access and increase convenience to the general public.

12 Accordingly, the purpose of this part is to amend the  
13 Electronic Device Recycling and Recovery Act by:

- 14 (1) Allowing manufacturers to coordinate activities  
15 directly related to the recycling of covered  
16 electronic devices;
- 17 (2) Expanding the scope of covered electronic devices to  
18 include electronic device peripherals and certain  
19 legacy devices; and
- 20 (3) Requiring manufacturers to provide free collection  
21 service locations for residents of every zip code



1 containing twenty-five thousand or more residents, one  
2 on-site collection service location on the island of  
3 Molokai, and at least four collection events annually  
4 on the county of Hawaii outside of Kona and Hilo.

5 SECTION 5. Chapter 339D, Hawaii Revised Statutes, is  
6 amended by adding a new section to part IV to be appropriately  
7 designated and to read as follows:

8 "§339D- Manufacturer coordination. A manufacturer, a  
9 group of manufacturers, or a coordinating body acting in  
10 accordance with this part may negotiate, enter into contracts  
11 with, collaborate, coordinate, or otherwise conduct business  
12 with each other and with any other entity developing,  
13 implementing, operating, participating in, or performing any  
14 other activities directly related to a plan to recycle covered  
15 electronic devices approved pursuant to this part. The  
16 manufacturer, group of manufacturers, and any entity developing,  
17 implementing, operating, participating in, or performing any  
18 other activities related to a plan to recycle covered electronic  
19 devices approved pursuant to this part shall not be subject to  
20 damages, liability, or scrutiny under federal antitrust law or  
21 chapter 480, regardless of the effects of their actions on



1 competition. The supervisory activities described in this part  
2 are sufficient to confirm that activities of the manufacturers,  
3 a group of manufacturers, and any entity developing,  
4 implementing, operating, participating in, or performing any  
5 other activities related to a manufacturer plan to recycle  
6 covered electronic devices that is approved are authorized and  
7 actively supervised by the State."

8 SECTION 6. Section 339D-1, Hawaii Revised Statutes, is  
9 amended as follows:

10 1. By amending the definitions of "brand" and "collector"  
11 to read:

12 "Brand" means a symbol, word, or mark that identifies [an]  
13 a covered electronic device, rather than any of its components.

14 "Collector" means a person that accepts covered electronic  
15 devices for reuse or delivers the devices to a recycler for the  
16 purposes of this chapter."

17 2. By amending the definition of "electronic device" to  
18 read:

19 "[~~Electronic~~] Covered electronic device":

20 (1) Means:



1 (A) A computer, computer printer, computer monitor,  
2 facsimile machine, videocassette recorder,  
3 portable digital music player that has memory  
4 capability and is battery powered, digital video  
5 disc player, digital video disc recorder, router  
6 designed for household use, modem designed for  
7 household use, or portable computer with a screen  
8 size greater than four inches measured  
9 diagonally; [and]

10 (B) Any device that is capable of receiving  
11 broadcast, cable, or satellite signals and  
12 displaying television or video programing,  
13 including any direct view or projection  
14 television with a viewable screen of nine inches  
15 or larger with display technology based on  
16 cathode ray tube, plasma, liquid crystal, digital  
17 light processing, liquid crystal on silicon,  
18 silicon crystal reflective display, light  
19 emitting diode, or similar technology; and

20 (C) Electronic device peripherals, including:





- (i) A keyboard, mouse, or other device sold exclusively for external use with a covered electronic device as a wireless or corded device that provides input into, or output from, a covered electronic device;
- (ii) Cords used with a covered electronic device or other electronic device peripheral;
- (iii) Power supplies and adapters designed to support a covered electronic device;
- (iv) Speakers used with a computer or television and television sound bars; and
- (v) Video game consoles; and

(2) Shall not include:

- (A) ~~[An]~~ A covered electronic device that is a part of a motor vehicle or any component part of a motor vehicle assembled by or for a motor vehicle manufacturer or franchised dealer, including replacement parts for use in a motor vehicle;
- (B) ~~[An]~~ A covered electronic device that is functionally or physically required as a part of a larger piece of equipment designed and intended



1 for use in an industrial, commercial, or medical  
2 setting, including diagnostic, monitoring, or  
3 control equipment;

4 (C) [~~AN~~] A covered electronic device that is  
5 contained within a clothes washer, clothes dryer,  
6 refrigerator, refrigerator and freezer, microwave  
7 oven, conventional oven or range, dishwasher,  
8 room air conditioner, dehumidifier, or air  
9 purifier;

10 (D) A telephone of any type including a mobile  
11 telephone; or

12 (E) A global positioning system."

13 3. By amending the definition of "manufacturer" to read:

14 "Manufacturer":

15 (1) Means any person:

16 (A) Who manufactures or manufactured covered  
17 electronic devices under a brand that it owns or  
18 owned or is or was licensed to use, other than a  
19 license to manufacture covered electronic devices  
20 for delivery exclusively to or at the order of  
21 the licensor;



1 (B) Who sells or sold covered electronic devices  
2 manufactured by others under a brand that the  
3 seller owns or owned or is or was licensed to  
4 use, other than a license to manufacture covered  
5 electronic devices for delivery exclusively to or  
6 at the order of the licensor;

7 (C) Who manufactures or manufactured covered  
8 electronic devices without affixing a brand;

9 (D) Who manufactures or manufactured covered  
10 electronic devices to which it affixes or affixed  
11 a brand that it neither owns or owned nor is or  
12 was licensed to use; or

13 (E) For whose account covered electronic devices  
14 manufactured outside the United States are or  
15 were imported into the United States; provided  
16 that if at the time those covered electronic  
17 devices are or were imported into the United  
18 States and another person has registered as the  
19 manufacturer of the brand of the covered  
20 electronic devices, this subparagraph shall not  
21 apply; and



(2) Shall not include persons ~~[who]~~:

(A) Who sold fewer than one hundred covered electronic devices in the State during the previous calendar year[-];

(B) With a license to manufacture covered electronic devices for delivery exclusively to or at the order of the licensor; or

(C) Who manufacture only electronic device peripherals and no other covered electronic devices."

4. By amending the definitions of "recycler", "recycling", "retailer", and "reuse" to read:

"Recycler" means any person who engages in the recycling of covered electronic devices for the purposes of this chapter.

"Recycling" means processing, including disassembling, dismantling, or shredding, covered electronic devices or their components to recover a useable product.

"Retailer" means any person who offers covered electronic devices for sale, other than for resale by the purchaser, through any means, including sales outlets, catalogs, or the Internet.



1 "Reuse" means any operation by which [an] a covered  
2 electronic device changes ownership and is used for the same  
3 purpose for which it was originally purchased."

4 SECTION 7. Section 339D-23, Hawaii Revised Statutes, is  
5 amended to read as follows:

6 "§339D-23 Manufacturer responsibility. (a) Beginning  
7 January 1, 2023, a manufacturer shall recycle or arrange for the  
8 recycling or reuse of any covered electronic device sold in the  
9 State. Manufacturers shall fully fund their recycling plan,  
10 including the collection, transportation, and recycling of all  
11 covered electronic devices in the State.

12 (b) By September 1, 2022, and annually thereafter, each  
13 manufacturer shall submit a plan to the department to establish,  
14 conduct, and manage a program for the recycling of covered  
15 electronic devices sold in the State, which shall be subject to  
16 the following conditions:

- 17 (1) The plan shall not permit the charging of a fee at the  
18 point of collection if the covered electronic device  
19 is brought by the covered electronic device owner to a  
20 central location for recycling; provided that the plan  
21 may include a reasonable transportation fee if the



1 manufacturer or manufacturer's agent removes the  
2 covered electronic device from the owner's premises at  
3 the owner's request and if the removal is not in  
4 conjunction with delivery of a new covered electronic  
5 device to the owner;

6 (2) The plan shall include a description of the methods  
7 for the convenient collection of covered electronic  
8 devices at no cost to the owner, except as provided in  
9 paragraph (1). The recycling plan shall provide for  
10 collection services of covered electronic devices in  
11 each county and zip code tabulation area, as defined  
12 by the United States Census Bureau, with a population  
13 greater than twenty-five thousand. The recycling plan  
14 shall include at least one of the following:

15 (A) Staffed drop-off sites;

16 (B) Alternative collection services, including on-  
17 site pick-up services; or

18 (C) Collection events held at an easily accessible,  
19 central location;

20 (3) The plan shall provide collection services at a  
21 minimum of once per month;



(4) The plan shall not contain only a mail-back option;

(5) The plan shall specify the use of only collectors registered with the State pursuant to section 339D-28; and

(6) The plan shall specify the use of recyclers that have achieved and maintained third-party accredited certification from the Responsible Recycling Standard for Electronics Recyclers (R2), Standard for Responsible Recycling and Reuse of Electronic Equipment (e-Stewards), or an internationally accredited third-party environmental management standard for the safe and responsible handling of covered electronic devices.

(c) The department shall review each manufacturer's plan and, within sixty days of receipt of the plan, determine whether the plan complies with this part. If the plan is approved, the department shall notify the manufacturer or group of manufacturers. If the plan is rejected, the department shall notify the manufacturer or group of manufacturers and provide the reasons for the plan's rejection. Within thirty days after receipt of the department's rejection, the manufacturer or group



1 of manufacturers may revise and resubmit the plan to the  
2 department for approval.

3 (d) Each manufacturer may develop its own recycling plan  
4 or may collaborate with other manufacturers [~~;~~ ~~provided that the~~  
5 ~~plan is implemented and fully operational by January 1, 2023~~].  
6 Manufacturers who collaborate on plans designed to comply with  
7 the requirements in section 339D-23.1(f) may coordinate  
8 recycling plans in any program year.

9 (e) The obligations under this chapter for a manufacturer  
10 that manufactures or manufactured covered electronic devices, or  
11 who sells or sold covered electronic devices manufactured by  
12 others, under a brand that was previously used by a different  
13 person in the manufacture of covered electronic devices, shall  
14 extend to all covered electronic devices bearing that brand."

15 SECTION 8. Section 339D-23.1, Hawaii Revised Statutes, is  
16 amended to read as follows:

17 "[~~+~~]§339D-23.1[~~+~~] Manufacturer recycling goals. (a) The  
18 department shall use the best available information to establish  
19 the weight of all covered electronic devices sold in the State,  
20 including the reports submitted pursuant to section 339D-23.3,





1 state and national sales data, and other reliable commercially  
2 available, supplemental sources of information.

3 (b) No later than October 1, 2022, and annually  
4 thereafter, the department shall notify each manufacturer of its  
5 recycling obligation pursuant to subsection (c).

6 (c) Each manufacturer shall collect and recycle covered  
7 electronic devices according to the following:

8 (1) Beginning January 1, 2023, the equivalent of fifty per  
9 cent, by weight, of the manufacturer's covered  
10 electronic devices sold in the State two years prior,  
11 unless amended by rule pursuant to chapter 91;

12 (2) Beginning January 1, 2024, the equivalent of sixty per  
13 cent, by weight, of the manufacturer's covered  
14 electronic devices sold in the State two years prior,  
15 unless amended by rule pursuant to chapter 91; and

16 (3) Beginning January 1, 2025, the equivalent of seventy  
17 per cent, by weight, of the manufacturer's covered  
18 electronic devices sold in the State two years prior,  
19 unless amended by rule pursuant to chapter 91.

20 (d) A manufacturer may collect any covered electronic  
21 device to meet its recycling goal.



1 (e) A manufacturer may consider reused covered electronic  
2 devices toward achieving its recycling goals.

3 (f) A manufacturer shall be considered to have satisfied  
4 the recycling obligations under subsection (c) if the  
5 manufacturer meets the requirements of section 339D-23(b)(2) by  
6 providing:

7 (1) On-site collection service locations for recycling at  
8 no cost in each county and zip code tabulation area,  
9 as defined by the United States Census Bureau, with a  
10 population greater than twenty-five thousand;

11 (2) One on-site collection service location on the island  
12 of Molokai; and

13 (3) Four or more collection events in the county of Hawaii  
14 outside of Kona and Hilo.

15 (g) A manufacturer may collaborate to provide collection  
16 locations under subsection (f) collectively through a  
17 coordinating body designated by manufacturers for this purpose  
18 or as an individual manufacturer; provided that:

19 (1) If actual collection for a manufacturer under this  
20 section differs from the manufacturer-specific  
21 recycling goals established by the department, a



1 coordinating body may use the proportional obligations  
2 reflected in those department-calculated goals to  
3 reconcile each participating manufacturer's  
4 obligation; and

5 (2) A manufacturer choosing to collaborate to provide  
6 collection locations under subsection (f)  
7 collectively, pursuant to this subsection, shall  
8 disclose to the department its intent to do so and  
9 specify the designated coordinating body in its annual  
10 plan to be submitted pursuant to section 339D-23(b)."

11 SECTION 9. Sections 339D-7.5, 339D-8, 339D-9, 339D-10,  
12 339D-12, 339D-21, 339D-22, 339D-23.2, 339D-23.3, 339D-24,  
13 339D-25, 339D-26, 339D-27, 339D-28, 339D-29, and 339D-30, Hawaii  
14 Revised Statutes, are amendedd by substituting the phrase  
15 "covered electronic device", or similar term, wherever the  
16 phrase "electronic device", or similar term, appears, as the  
17 context requires.

18 PART III

19 SECTION 10. In accordance with section 9 of article VII,  
20 of the Constitution of the State of Hawaii and sections 37-91  
21 and 37 93, Hawaii Revised Statutes, the legislature has



1 determined that the appropriations contained in this Act will  
2 cause the deposit beverage container deposit special fund  
3 expenditure ceiling for fiscal years 2025-2026, 2026-2027, 2027-  
4 2028, and 2028-2029 to be exceeded by \$3,000,000 or 4.2 per  
5 cent. The reasons for exceeding the deposit beverage container  
6 deposit special fund expenditure ceiling are that the  
7 appropriations made in this Act are necessary to serve the  
8 public interest and to meet the needs provided for by this Act.

9 SECTION 11. There is appropriated out of the deposit  
10 beverage container deposit special fund the sum of \$3,000,000 or  
11 so much thereof as may be necessary for fiscal year 2025-2026  
12 for the department of health to conduct a statewide needs  
13 assessment pursuant to section 3 of this Act, to inform the  
14 future establishment of an extended producer responsibility  
15 program; provided that:

16 (1) The moneys shall not lapse at the end of the fiscal  
17 year for which the appropriation is made; and

18 (2) All moneys from the appropriation unencumbered shall  
19 lapse as of the close of business on June 30, 2029, to  
20 the credit of the deposit beverage container deposit  
21 special fund.



1       The sum appropriated shall be expended by the department of  
2 health for the purposes of this Act.

3       SECTION 12. Statutory material to be repealed is bracketed  
4 and stricken. New statutory material is underscored.

5       SECTION 13. This Act shall take effect on July 1, 3000.



**Report Title:**

DOH; Deposit Beverage Container Deposit Special Fund; Packaging Waste; Needs Assessment; Advisory Council; Extended Producer Responsibility Program; Covered Electronic Devices; Collection; Recycling; Manufacturers; Appropriation; Expenditure Ceiling

**Description:**

Amends the authorized uses of the Deposit Beverage Container Deposit Special Fund. Requires the Department of Health to conduct a statewide needs assessment to determine what will be needed to reduce waste generation, increase reuse, improve recycling collection services, and expand local processing of materials through an Extended Producer Responsibility Program for packaging materials and paper products. Establishes an advisory council to review the draft needs assessment and propose recommendations throughout the assessment process. Requires the Department of Health to hold a public hearing on the draft needs assessment and complete and submit the needs assessment to the Legislature by 12/31/2028. Allows manufacturers to coordinate activities directly related to the recycling of covered electronic devices. Expands the scope of covered electronic devices to include electronic device peripherals and certain legacy devices. Requires manufacturers to provide free collection service locations and collection events. Appropriates funds out of the Deposit Beverage Container Deposit Special Fund. Declares that the Deposit Beverage Container Deposit Special Fund expenditure ceiling is exceeded. Effective 7/1/3000. (SD1)

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