

1 AN ACT concerning safety.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Consumer Electronics Recycling Act is  
5 amended by changing Sections 1-5, 1-10, 1-15, 1-25, 1-30,  
6 1-33, 1-35, 1-40, 1-45, 1-84.5, 1-85, 1-86, and 1-90 and by  
7 adding Section 1-91 as follows:

8 (415 ILCS 151/1-5)

9 (Section scheduled to be repealed on December 31, 2026)

10 Sec. 1-5. Definitions. As used in this Act:

11 "Agency" means the Illinois Environmental Protection  
12 Agency.

13 "Best practices" means standards for collecting and  
14 preparing items for shipment and recycling. "Best practices"  
15 may include standards for packaging for transport, load size,  
16 acceptable load contamination levels, non-CED items included  
17 in a load, and other standards as determined under Section  
18 1-85 of this Act. "Best practices" shall consider the desired  
19 intent to preserve existing collection programs and  
20 relationships when possible.

21 "Collector" means a person who collects ~~residential~~ CEDs  
22 from covered entities at any program collection site or  
23 one-day collection event and prepares them for transport.

1 "Computer", often referred to as a "personal computer" or  
2 "PC", means a desktop or notebook computer as further defined  
3 below ~~and used only in a residence~~, but does not mean an  
4 automated typewriter, electronic printer, mobile telephone,  
5 portable hand-held calculator, portable digital assistant  
6 (PDA), MP3 player, or other similar device. "Computer" does  
7 not include computer peripherals, commonly known as cables,  
8 mouse, or keyboard. "Computer" is further defined as either:

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

1 include an automated typewriter or typesetter; or

2 (2) "Notebook computer", which means an electronic,  
3 magnetic, optical, electrochemical, or other high-speed  
4 data processing device performing logical, arithmetic, or  
5 storage functions for general purpose needs that are met  
6 through interaction with a number of software programs  
7 contained therein, and that is not designed to exclusively  
8 perform a specific type of logical, arithmetic, or storage  
9 function or other limited or specialized application.  
10 Human interface with a notebook computer is achieved  
11 through a keyboard, video display greater than 4 inches in  
12 size, and mouse or other pointing device, all of which are  
13 contained within the construction of the unit that  
14 comprises the notebook computer; supplemental stand-alone  
15 interface devices typically can also be attached to the  
16 notebook computer. Notebook computers can use external,  
17 internal, or batteries for a power source. Notebook  
18 computer does not include a portable hand-held calculator,  
19 or a portable digital assistant or similar specialized  
20 device. A notebook computer has an incorporated video  
21 display greater than 4 inches in size and can be carried as  
22 one unit by an individual. A notebook computer is  
23 sometimes referred to as a laptop computer.

24 (3) "Tablet computer", which means an electronic,  
25 magnetic, optical, electrochemical, or other high-speed  
26 data processing device performing logical, arithmetic, or

1 storage functions for general purpose needs that are met  
2 through interaction with a number of software programs  
3 contained therein, and that is not designed to exclusively  
4 perform a specific type of logical, arithmetic, or storage  
5 function or other limited or specialized application.  
6 Human interface with a tablet computer is achieved through  
7 a touch screen and video display screen greater than 6  
8 inches in size (all of which are contained within the unit  
9 that comprises the tablet computer). Tablet computers may  
10 use an external or internal power source. "Tablet  
11 computer" does not include a portable hand-held  
12 calculator, a portable digital assistant, or a similar  
13 specialized device.

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

18 "County recycling coordinator" means the individual who is  
19 designated as the recycling coordinator for a county in a  
20 waste management plan developed pursuant to the Solid Waste  
21 Planning and Recycling Act.

22 "Covered electronic device" or "CED" means any computer,  
23 computer monitor, television, printer, electronic keyboard,  
24 facsimile machine, videocassette recorder, portable digital  
25 music player that has memory capability and is battery  
26 powered, digital video disc player, video game console,

1 electronic mouse, scanner, digital converter box, cable  
2 receiver, satellite receiver, digital video disc recorder, ~~or~~  
3 small-scale server, home audio component, or peripheral sold  
4 at retail. "Covered electronic device" does not include any of  
5 the following:

6 (1) an electronic device that is a part of a motor  
7 vehicle or any component part of a motor vehicle assembled  
8 by or for a vehicle manufacturer or franchised dealer,  
9 including replacement parts for use in a motor vehicle;

10 (2) an electronic device that is functionally or  
11 physically part of a larger piece of equipment or that is  
12 taken out of service from an industrial, commercial  
13 (including retail), library checkout, traffic control,  
14 kiosk, security (other than household security),  
15 governmental, agricultural, or medical setting, including  
16 but not limited to diagnostic, monitoring, or control  
17 equipment; or

18 (3) an electronic device that is contained within a  
19 clothes washer, clothes dryer, refrigerator, refrigerator  
20 and freezer, microwave oven, conventional oven or range,  
21 dishwasher, room air conditioner, dehumidifier, water  
22 pump, sump pump, or air purifier. To the extent allowed  
23 under federal and State laws and regulations, a CED that  
24 is being collected, recycled, or processed for reuse is  
25 not considered to be hazardous waste, household waste,  
26 solid waste, or special waste.

1 "Covered electronic device category" or "CED category"  
2 means each of the following 9 ~~8~~ categories of ~~residential~~ CEDs  
3 from covered entities:

4 (1) computers and small-scale servers;

5 (2) computer monitors;

6 (3) televisions;

7 (4) printers, facsimile machines, and scanners;

8 (5) digital video disc players, digital video disc  
9 recorders, and videocassette recorders;

10 (6) video game consoles;

11 (7) digital converter boxes, cable receivers, and  
12 satellite receivers; ~~and~~

13 (8) electronic keyboards, electronic mice,  
14 peripherals, and portable digital music players that have  
15 memory capability and are battery powered; ~~and-~~

16 (9) home audio components.

17 "Covered entity" means a residence for program years 2019  
18 through 2026 and means a person delivering 7 or fewer CEDs to a  
19 program collection site or collection event beginning in  
20 program year 2027.

21 "Manufacturer" means a person, or a successor in interest  
22 to a person, under whose brand or label a CED is or was sold at  
23 retail. For any CED sold at retail under a brand or label that  
24 is licensed from a person who is a mere brand owner and who  
25 does not sell or produce a CED, the person who produced the CED  
26 or his or her successor in interest is the manufacturer. For

1 any CED sold at retail under the brand or label of both the  
2 retail seller and the person that produced the CED, the person  
3 that produced the CED, or his or her successor in interest, is  
4 the manufacturer. "Manufacturer" does not include a person who  
5 manufactures only peripherals and no other CEDs.

6 "Manufacturer clearinghouse" means an entity that prepares  
7 and submits a manufacturer e-waste program plan to the Agency,  
8 and oversees the manufacturer e-waste program, on behalf of a  
9 group of 2 or more manufacturers cooperating with one another  
10 to collectively establish and operate an e-waste program for  
11 the purpose of complying with this Act and that collectively  
12 represent at least 50% of the manufacturers' total obligations  
13 under this Act for a program year.

14 "Manufacturer e-waste program" means any program  
15 established, financed, and operated by a manufacturer,  
16 individually or collectively as part of a manufacturer  
17 clearinghouse, to transport and subsequently recycle, in  
18 accordance with the requirements of this Act, ~~residential~~ CEDs  
19 from covered entities collected at program collection sites  
20 and one-day collection events.

21 "Municipal joint action agency" means a municipal joint  
22 action agency created under Section 3.2 of the  
23 Intergovernmental Cooperation Act.

24 "One-day collection event" means a one-day event used as a  
25 substitute for a program collection site pursuant to Section  
26 1-15 of this Act.

1           "Peripheral" means a device sold exclusively for external  
2 use with a CED as a wireless or corded device that provides  
3 input into or output from a CED and cords used with a CED or  
4 peripheral. A peripheral may be collected with or without the  
5 CED with which it is used.

6           "Person" means an individual, partnership, co-partnership,  
7 firm, company, limited liability company, corporation,  
8 association, joint stock company, trust, estate, political  
9 subdivision, State agency, or any other legal entity; or a  
10 legal representative, agent, or assign of that entity.  
11 "Person" includes a unit of local government.

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

25           "Private network collection site" means a collection site  
26 operated by a nonprofit organization or recycler collecting on

1 behalf of a manufacturer.

2 "Program collection site" means a physical location that  
3 is included in a manufacturer e-waste program and at which  
4 ~~residential~~ CEDs from covered entities are collected and  
5 prepared for transport by a collector during a program year in  
6 accordance with the requirements of this Act. Except as  
7 otherwise provided in this Act, "program collection site" does  
8 not include a retail or private network collection site.

9 "Program year" means a calendar year. The first program  
10 year is 2019.

11 "Recycler" means any person who transports or subsequently  
12 recycles ~~residential~~ CEDs from covered entities that have been  
13 collected and prepared for transport by a collector at any  
14 program collection site or one-day collection event.

15 "Recycling" has the meaning provided under Section 3.380  
16 of the Environmental Protection Act. "Recycling" includes any  
17 process by which ~~residential~~ CEDs from covered entities that  
18 would otherwise be disposed of or discarded are collected,  
19 separated, or processed and returned to the economic  
20 mainstream in the form of raw materials or products.

21 "Residence" means a dwelling place or home in which one or  
22 more individuals live.

23 ~~"Residential covered electronic device" or "residential~~  
24 ~~CED" means any covered electronic device taken out of service~~  
25 ~~from a residence in the State.~~

26 "Retail collection site" means a private sector collection

1 site operated by a retailer collecting on behalf of a  
2 manufacturer.

3 "Retailer" means a person who first sells, through a sales  
4 outlet, catalogue, or the Internet, a covered electronic  
5 device at retail to an individual for residential use or any  
6 permanent establishment primarily where merchandise is  
7 displayed, held, stored, or offered for sale to the public.

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

13 "Small-scale server" means a computer that typically uses  
14 desktop components in a desktop form designed primarily to  
15 serve as a storage host for other computers. To be considered a  
16 small-scale server, a computer must: be designed in a  
17 pedestal, tower, or other form that is similar to that of a  
18 desktop computer so that all data processing, storage, and  
19 network interfacing is contained within one box or product; be  
20 designed to be operational 24 hours per day and 7 days per  
21 week; have very little unscheduled downtime, such as on the  
22 order of hours per year; be capable of operating in a  
23 simultaneous multi-user environment serving several users  
24 through networked client units; and be designed for an  
25 industry-accepted operating system for home or low-end server  
26 applications.

1 "Television" means an electronic device that contains a  
2 cathode-ray tube or flat panel screen the size of which is  
3 greater than 4 inches when measured diagonally and is intended  
4 to receive video programming via broadcast, cable, satellite,  
5 Internet, or other mode of video transmission or to receive  
6 video from surveillance or other similar cameras.

7 (Source: P.A. 100-362, eff. 8-25-17; 100-433, eff. 8-25-17;  
8 100-592, eff. 6-22-18.)

9 (415 ILCS 151/1-10)

10 (Section scheduled to be repealed on December 31, 2026)

11 Sec. 1-10. Manufacturer e-waste program.

12 (a) For program year 2019 and each program year  
13 thereafter, each manufacturer shall, individually or  
14 collectively as part of a manufacturer clearinghouse, provide  
15 a manufacturer e-waste program to transport and subsequently  
16 recycle, in accordance with the requirements of this Act,  
17 ~~residential~~ CEDs from covered entities collected at, and  
18 prepared for transport from, the program collection sites and  
19 one-day collection events included in the program during the  
20 program year.

21 (b) Each manufacturer e-waste program must include, at a  
22 minimum, the following:

23 (1) satisfaction of the convenience standard described  
24 in Section 1-15 of this Act;

25 (2) instructions for designated county recycling

1 coordinators and municipal joint action agencies to  
2 annually file notice to participate in the program;

3 (3) transportation and subsequent recycling of the  
4 ~~residential~~ CEDs from covered entities collected at, and  
5 prepared for transport from, the program collection sites  
6 and one-day collection events included in the program  
7 during the program year; and

8 (4) submission of a report to the Agency, by March 1,  
9 2020, and each March 1 thereafter, which includes:

10 (A) the total weight of all ~~residential~~ CEDs from  
11 covered entities transported from program collection  
12 sites and one-day collection events throughout the  
13 State during the preceding program year by CED  
14 category;

15 (B) the total weight of ~~residential~~ CEDs from  
16 covered entities transported from all program  
17 collection sites and one-day collection events in each  
18 county in the State during the preceding program year  
19 by CED category; and

20 (C) the total weight of ~~residential~~ CEDs from  
21 covered entities transported from all program  
22 collection sites and one-day collection events in each  
23 county in the State during that preceding program year  
24 and that was recycled.

25 (c) Each manufacturer e-waste program shall make the  
26 instructions required under paragraph (2) of subsection (b)

1 available on its website by December 1, 2017, and the program  
2 shall provide to the Agency a hyperlink to the website for  
3 posting on the Agency's website.

4 (d) Nothing in this Act shall prevent a manufacturer from  
5 accepting, through a manufacturer e-waste program, ~~residential~~  
6 CEDs from covered entities collected through a curbside or  
7 drop-off collection program that is operated pursuant to a  
8 residential franchise collection agreement authorized by  
9 Section 11-19-1 of the Illinois Municipal Code or Section  
10 5-1048 of the Counties Code between a third party and a unit of  
11 local government located within a county or municipal joint  
12 action agency that has elected to participate in a  
13 manufacturer e-waste program.

14 (e) A collection program operated in accordance with this  
15 Section shall:

16 (1) meet the collector responsibilities under  
17 subsections (a), (a-5), (d), (e), and (g) under Section  
18 1-45 and require certification on the bill of lading or  
19 similar manifest from the unit of local government, the  
20 third party, or ~~and~~ the county or municipal joint action  
21 agency that elected to participate in the manufacturer  
22 e-waste program that the CEDs were collected, to the best  
23 of their knowledge, from covered entities ~~residential~~  
24 ~~consumers~~ in the State of Illinois;

25 (2) comply with the audit provisions under subsection  
26 (g) of Section 1-30;

1           (3) locate any drop-off location where CEDs are  
2           collected on property owned by a unit of local government;  
3           and

4           (4) have signage at any drop-off location indicating  
5           only ~~residential~~ CEDs from covered entities are accepted  
6           for recycling.

7           Manufacturers of CEDs are not financially responsible for  
8           transporting and consolidating CEDs collected from a  
9           collection program's drop-off location. Any drop-off location  
10          used in 2019 must have been identified by the county or  
11          municipal joint action agency in the written notice of  
12          election to participate in the manufacturer e-waste program in  
13          accordance with Section 1-20 by March 1, 2018. Any drop-off  
14          location operating in 2020 or in subsequent years must be  
15          identified by the county or municipal joint action agency in  
16          the annual written notice of election to participate in a  
17          manufacturer e-waste program in accordance with Section 1-20  
18          to be eligible for the subsequent program year.

19          (Source: P.A. 100-362, eff. 8-25-17; 100-433, eff. 8-25-17;  
20          100-592, eff. 6-22-18; 100-1165, eff. 6-1-19; 101-81, eff.  
21          7-12-19.)

22           (415 ILCS 151/1-15)

23           (Section scheduled to be repealed on December 31, 2026)

24           Sec. 1-15. Convenience standard for program collection

1 sites and one-day collection events.

2 (a) Beginning in 2019 each manufacturer e-waste program  
3 for a program year must include, at a minimum, program  
4 collection sites in the following quantities in counties that  
5 elect to participate in the manufacturer e-waste program for  
6 the program year:

7 (1) one program collection site in each county that  
8 has elected to participate in the manufacturer e-waste  
9 program for the program year and that has a population  
10 density that is less than 250 individuals per square mile;

11 (2) two program collection sites in each county that  
12 has elected to participate in the manufacturer e-waste  
13 program for the program year and that has a population  
14 density that is greater than or equal to 250 individuals  
15 per square mile but less than 500 individuals per square  
16 mile;

17 (3) three program collection sites in each county that  
18 has elected to participate in the manufacturer e-waste  
19 program for the program year and that has a population  
20 density that is greater than or equal to 500 individuals  
21 per square mile but less than 750 individuals per square  
22 mile;

23 (4) four program collection sites in each county that  
24 has elected to participate in the manufacturer e-waste  
25 program for the program year and that has a population  
26 density that is greater than or equal to 750 individuals

1 per square mile but less than 1,000 individuals per square  
2 mile;

3 (5) five program collection sites in each county that  
4 has elected to participate in the manufacturer e-waste  
5 program for the program year and that has a population  
6 density that is greater than or equal to 1,000 individuals  
7 per square mile but less than 5,000 individuals per square  
8 mile; and

9 (6) fifteen program collection sites in each county  
10 that has elected to participate in the manufacturer  
11 e-waste program for the program year and that has a  
12 population density that is greater than or equal to 5,000  
13 individuals per square mile.

14 For purposes of this Section, county population densities  
15 shall be based on the entire county's population density,  
16 regardless of whether a municipality or municipal joint action  
17 agency in the county participates in a manufacturer e-waste  
18 program.

19 If a municipality with a population of over 1,000,000  
20 residents elects to participate in a manufacturer e-waste  
21 program for a program year, then the program shall provide 10  
22 additional program collection sites for the program year to be  
23 located in that municipality, and the program collection sites  
24 required under paragraph (6) of subsection (a) of this Section  
25 shall be located outside of the municipality.

26 If a municipal joint action agency elects to participate

1 in a manufacturer e-waste program for a program year, it shall  
2 receive, for that year, a population-based pro rata share of  
3 the program collection sites that would be granted to the  
4 county in which the municipal joint action agency is located  
5 if the county were to elect to participate in the program for  
6 that year, rounded to the nearest whole number.

7 A designated county recycling coordinator may elect to  
8 operate more than the required minimum number of collection  
9 sites.

10 (b) Notwithstanding subsection (a) of this Section, any  
11 county, municipality, or municipal joint action agency that  
12 elects to participate in a manufacturer e-waste program may  
13 enter into a written agreement with the operators of any  
14 manufacturer e-waste program in order to do one or more of the  
15 following:

16 (1) to decrease the number of program collection sites  
17 in the county, municipality, or territorial boundary of  
18 the municipal joint action agency for the program year;

19 (2) to substitute a program collection site in the  
20 county, municipality, or territorial boundary of the  
21 municipal joint action agency with either (i) 4 one-day  
22 collection events or (ii) a different number of such  
23 events as may be provided in the written agreement;

24 (3) to substitute the location of a program collection  
25 site in the county, municipality, or territorial boundary  
26 of the municipal joint action agency for the program year

1 with another location;

2 (4) to substitute the location of a one-day collection  
3 in the county, municipality, or territorial boundary of  
4 the municipal joint action agency with another location;  
5 or

6 (5) to use, with the agreement of the applicable  
7 retailer, nonprofit organization, or recycler, a retail or  
8 private network collection site as a program collection  
9 site.

10 An agreement made pursuant to paragraph (1), ~~or~~ (2), or  
11 (5) of this subsection (b) shall be reduced to writing and  
12 included in the manufacturer e-waste program plan as required  
13 under subsection (a) of Section 1-25 of this Act.

14 (Source: P.A. 100-362, eff. 8-25-17; 100-433, eff. 8-25-17.)

15 (415 ILCS 151/1-25)

16 (Section scheduled to be repealed on December 31, 2026)

17 Sec. 1-25. Manufacturer e-waste program plans.

18 (a) By September 1, 2018 for program year 2019, and by July  
19 1 of each year thereafter, each manufacturer shall,  
20 individually or through a manufacturer clearinghouse, submit  
21 to the Agency a manufacturer e-waste program plan, which  
22 includes, at a minimum, the following:

23 (1) the contact information for the individual who  
24 will serve as the point of contact for the manufacturer  
25 e-waste program;

1           (2) the identity of each county that has elected to  
2 participate in the manufacturer e-waste program during the  
3 program year;

4           (3) for each county, the location of each program  
5 collection site and one-day collection event included in  
6 the manufacturer e-waste program for the program year;

7           (4) the collector operating each program collection  
8 site and one-day collection event included in the  
9 manufacturer e-waste program for the program year;

10          (5) the recyclers that manufacturers plan to use  
11 during the program year to transport and subsequently  
12 recycle ~~residential~~ CEDs from covered entities under the  
13 program, with the updated list of recyclers to be provided  
14 to the Agency no later than December 1 preceding each  
15 program year;

16          (6) an explanation of any deviation by the program  
17 from the standard program collection site distribution set  
18 forth in subsection (a) of Section 1-15 of this Act for the  
19 program year, along with copies of all written agreements  
20 made pursuant to paragraphs (1), ~~or~~ (2), or (5) of  
21 subsection (b) of Section 1-15 for the program year; ~~and~~

22          (7) if a group of 2 or more manufacturers are  
23 participating in a manufacturer clearinghouse,  
24 certification that the methodology used for allocating  
25 responsibility for the transportation and recycling of  
26 ~~residential~~ CEDs from covered entities by manufacturers

1 participating in the manufacturer clearinghouse for the  
2 program year will be in compliance with the allocation  
3 methodology established under Section 1-84.5 of this Act;  
4 and-

5 (8) identification of collection service provided to  
6 every county of the state, including program collection  
7 sites, program collection events, retail collection sites,  
8 and private network collection sites.

9 (b) Within 60 days after receiving a manufacturer e-waste  
10 program plan, the Agency shall review the plan and approve the  
11 plan or disapprove the plan.

12 (1) If the Agency determines that the program  
13 collection sites and one-day collection events specified  
14 in the plan will satisfy the convenience standard set  
15 forth in Section 1-15 of this Act, then the Agency shall  
16 approve the manufacturer e-waste program plan and provide  
17 written notification of the approval to the individual who  
18 serves as the point of contact for the manufacturer. The  
19 Agency shall make the approved plan available on the  
20 Agency's website.

21 (2) If the Agency determines the plan will not satisfy  
22 the convenience standard set forth in Section 1-15 of this  
23 Act, then the Agency shall disapprove the manufacturer  
24 e-waste program plan and provide written notification of  
25 the disapproval and the reasons for the disapproval to the  
26 individual who serves as the point of contact for the

1 manufacturer. Within 30 days after the date of  
2 disapproval, the manufacturer shall submit a revised  
3 manufacturer e-waste program plan that addresses the  
4 deficiencies noted in the Agency's disapproval.

5 (c) Manufacturers shall assume financial responsibility  
6 for carrying out their e-waste program plans, including, but  
7 not limited to, financial responsibility for providing the  
8 packaging materials necessary to prepare shipments of  
9 collected ~~residential~~ CEDs from covered entities in compliance  
10 with subsection (e) of Section 1-45, as well as financial  
11 responsibility for bulk transportation and recycling of  
12 collected ~~residential~~ CEDs from covered entities.

13 (Source: P.A. 100-362, eff. 8-25-17; 100-433, eff. 8-25-17;  
14 100-592, eff. 6-22-18; 100-1165, eff. 6-1-19; 101-81, eff.  
15 7-12-19.)

16 (415 ILCS 151/1-30)

17 (Section scheduled to be repealed on December 31, 2026)

18 Sec. 1-30. Manufacturer registration.

19 (a) By April 1, 2018, and by April 1 of each year  
20 thereafter for the upcoming program year, beginning with  
21 program year 2019, each manufacturer who sells CEDs in the  
22 State must register with the Agency by: (i) submitting to the  
23 Agency a \$5,000 registration fee; and (ii) completing and  
24 submitting to the Agency the registration form prescribed by  
25 the Agency. Information on the registration form shall

1 include, without limitation, all of the following:

2 (1) a list of all of the brands and labels under which  
3 the manufacturer's CEDs are marketed and sold or offered  
4 for sale in the State to individuals; and

5 (2) the total weights, by CED category, of CEDs sold  
6 in the United States to individuals, under any of the  
7 manufacturer's brands or labels, during the calendar year  
8 that is 2 years before the applicable program year.

9 If, during a program year, any of the manufacturer's CEDs  
10 are sold or offered for sale in the State under a brand that is  
11 not listed in the manufacturer's registration, then, within 30  
12 days after the first sale or offer for sale under that brand,  
13 the manufacturer must amend its registration to add the brand.  
14 All registration fees collected by the Agency pursuant to this  
15 Section shall be deposited into the Solid Waste Management  
16 Fund.

17 (b) The Agency shall post on its website a list of all  
18 registered manufacturers.

19 (c) Beginning in program year 2019, a manufacturer whose  
20 CEDs are sold or offered for sale in this State for the first  
21 time on or after April 1 of a program year must register with  
22 the Agency within 30 days after the date the CEDs are first  
23 sold or offered for sale in the State.

24 (d) Beginning in program year 2019, manufacturers shall  
25 ensure that only recyclers that have registered with the  
26 Agency and meet the recycler standards set forth in Section

1 1-40 are used to transport or recycle ~~residential~~ CEDs from  
2 covered entities collected at any program collection site or  
3 one-day collection event.

4 (e) Beginning in program year 2019, no manufacturer may  
5 sell or offer for sale a CED in this State unless the  
6 manufacturer is registered and operates a manufacturer program  
7 either individually or as part of the manufacturer  
8 clearinghouse as required in this Act.

9 (f) Beginning in program year 2019, no manufacturer may  
10 sell or offer for sale a CED in this State unless the  
11 manufacturer's brand name is permanently affixed to, and is  
12 readily visible on, the CED.

13 (g) In accordance with a contract or agreement with a  
14 county, municipality, or municipal joint action agency that  
15 has elected to participate in a manufacturer e-waste program  
16 under this Act, manufacturers may, either individually or  
17 through the manufacturer clearinghouse, audit program  
18 collection sites and proposed program collection sites for  
19 compliance with the terms and conditions of the contract or  
20 agreement. Audits shall be conducted during normal business  
21 hours, and a manufacturer or its designee shall provide  
22 reasonable notice to the collection site in advance of the  
23 audit. Audits of all program collection sites may include,  
24 among other things, physical site location visits and  
25 inspections and review of processes, procedures, technical  
26 systems, reports, and documentation reasonably related to the

1 collecting, sorting, packaging, and recycling of ~~residential~~  
2 CEDs from covered entities in compliance with this Act.

3 (h) Nothing in this Act shall require a manufacturer or  
4 manufacturer e-waste program to collect, transport, or recycle  
5 any CEDs other than ~~residential~~ CEDs from covered entities, or  
6 to accept for transport or recycling any pallet or bulk  
7 container of ~~residential~~ CEDs from covered entities that has  
8 not been prepared by the collector for shipment in accordance  
9 with subsection (e) of Section 1-45.

10 (Source: P.A. 100-362, eff. 8-25-17; 100-433, eff. 8-25-17;  
11 100-592, eff. 6-22-18.)

12 (415 ILCS 151/1-33)

13 (Section scheduled to be repealed on December 31, 2026)

14 Sec. 1-33. Manufacturer clearinghouse.

15 (a) A manufacturer e-waste program plan submitted by a  
16 manufacturer clearinghouse may take into account and  
17 incorporate individual plans or operations of one or more  
18 manufacturers that are participating in the manufacturer  
19 clearinghouse.

20 (b) If a manufacturer clearinghouse allocates  
21 responsibility to manufacturers for manufacturers'  
22 transportation and recycling of ~~residential~~ CEDs from covered  
23 entities during a program year as part of a manufacturer  
24 e-waste program plan, then the manufacturer clearinghouse  
25 shall identify the allocation methodology in its plan

1 submission to the Agency pursuant to Section 1-25 of this Act  
2 for review and approval. Any allocation of responsibility  
3 among manufacturers for the collection of covered electronic  
4 devices shall be in accordance with the allocation methodology  
5 established pursuant to Section 1-84.5 of this Act.

6 (c) A manufacturer clearinghouse shall have no authority  
7 to enforce manufacturer compliance with the requirements of  
8 this Act, including compliance with the allocation methodology  
9 set forth in a manufacturer e-waste program plan, but shall,  
10 upon prior notice to the manufacturer, refer any potential  
11 non-compliance to the Agency. A manufacturer clearinghouse may  
12 develop and implement policies and procedures that exclude  
13 from participation in the manufacturer clearinghouse any  
14 manufacturers found by the Illinois Pollution Control Board or  
15 a court of competent jurisdiction to have failed to comply  
16 with this Act.

17 (Source: P.A. 100-592, eff. 6-22-18.)

18 (415 ILCS 151/1-35)

19 (Section scheduled to be repealed on December 31, 2026)

20 Sec. 1-35. Retailer responsibilities.

21 (a) Beginning in program year 2019, no retailer who first  
22 sells, through a sales outlet, catalogue, or the Internet, a  
23 CED at retail to an individual for residential use may sell or  
24 offer for sale any CED in or for delivery into this State  
25 unless:

1 (1) the CED is labeled with a brand, and the label is  
2 permanently affixed and readily visible; and

3 (2) the manufacturer is registered with the Agency at  
4 the time the retailer purchases the CED.

5 (b) A retailer shall be considered to have complied with  
6 paragraphs (1) and (2) of subsection (a) if:

7 (1) a manufacturer registers with the Agency within 30  
8 days of a retailer taking possession of the manufacturer's  
9 CED;

10 (2) a manufacturer's registration expires and the  
11 retailer ordered the CED prior to the expiration, in which  
12 case the retailer may sell the CED, but only if the sale  
13 takes place within 180 days of the expiration; or

14 (3) a manufacturer is no longer conducting business  
15 and has no successor in interest, in which case the  
16 retailer may sell any orphan CED ordered prior to the  
17 discontinuation of business.

18 (c) Retailers shall not be considered collectors under the  
19 convenience standard and retail collection sites shall not be  
20 considered a collection site for the purposes of the  
21 convenience standard pursuant to Sections 1-10, 1-15, and 1-25  
22 unless otherwise agreed to in writing by the (i) retailer,  
23 (ii) operators of the manufacturer e-waste program, and (iii)  
24 the applicable county, municipal joint action agency, or  
25 municipality if the county, municipal joint action agency, or  
26 municipality elects to participate in the manufacturer e-waste

1 program. If retailers agree to participate in a county program  
2 collection site, then the retailer collection site does not  
3 have to collect all CEDs or register as a collector.

4 (d) Manufacturers may use retail or private network  
5 collection sites for satisfying some or all of their  
6 obligations pursuant to Sections 1-10, 1-15 and 1-25.

7 (e) Nothing in this Act shall prohibit a retailer or  
8 private network collection site from collecting a fee for each  
9 CED collected.

10 (Source: P.A. 100-362, eff. 8-25-17; 100-433, eff. 8-25-17.)

11 (415 ILCS 151/1-40)

12 (Section scheduled to be repealed on December 31, 2026)

13 Sec. 1-40. Recycler responsibilities.

14 (a) By January 1, 2019, and by January 1 of each year  
15 thereafter for that program year, beginning with program year  
16 2019, each recycler must register with the Agency by (i)  
17 submitting to the Agency a \$3,000 registration fee and (ii)  
18 completing and submitting to the Agency the registration form  
19 prescribed by the Agency. The registration form prescribed by  
20 the Agency shall include, without limitation, the address of  
21 each location where the recycler manages ~~residential~~ CEDs from  
22 covered entities collected through a manufacturer e-waste  
23 program and the certification required under subsection (d) of  
24 this Section. All registration fees collected by the Agency  
25 pursuant to this Section shall be deposited into the Solid

1 Waste Management Fund.

2 (a-5) The Agency may deny a registration under this  
3 Section if the recycler or any employee or officer of the  
4 recycler has a history of:

5 (1) repeated violations of federal, State, or local  
6 laws, regulations, standards, or ordinances related to the  
7 collection, recycling, or other management of CEDs;

8 (2) conviction in this State or another state of any  
9 crime which is a felony under the laws of this State, or  
10 conviction of a felony in a federal court; or conviction  
11 in this State or another state or federal court of any of  
12 the following crimes: forgery, official misconduct,  
13 bribery, perjury, or knowingly submitting false  
14 information under any environmental law, regulation, or  
15 permit term or condition; or

16 (3) gross carelessness or incompetence in handling,  
17 storing, processing, transporting, disposing, or otherwise  
18 managing CEDs.

19 (b) The Agency shall post on the Agency's website a list of  
20 all registered recyclers.

21 (c) Beginning in program year 2019, no person may act as a  
22 recycler of ~~residential~~ CEDs from covered entities for a  
23 manufacturer's e-waste program unless the recycler is  
24 registered with the Agency as required under this Section.

25 (d) Beginning in program year 2019, recyclers must, as a  
26 part of their annual registration, certify compliance with all

1 of the following requirements:

2 (1) Recyclers must comply with federal, State, and  
3 local laws and regulations, including federal and State  
4 minimum wage laws, specifically relevant to the handling,  
5 processing, and recycling of ~~residential~~ CEDs from covered  
6 entities and must have proper authorization by all  
7 appropriate governing authorities to perform the handling,  
8 processing, and recycling.

9 (2) Recyclers must implement the appropriate measures  
10 to safeguard occupational and environmental health and  
11 safety, through the following:

12 (A) environmental health and safety training of  
13 personnel, including training with regard to material  
14 and equipment handling, worker exposure, controlling  
15 releases, and safety and emergency procedures;

16 (B) an up-to-date, written plan for the  
17 identification and management of hazardous materials;  
18 and

19 (C) an up-to-date, written plan for reporting and  
20 responding to exceptional pollutant releases,  
21 including emergencies such as accidents, spills,  
22 fires, and explosions.

23 (3) Recyclers must maintain (i) commercial general  
24 liability insurance or the equivalent corporate guarantee  
25 for accidents and other emergencies with limits of not  
26 less than \$1,000,000 per occurrence and \$1,000,000

1 aggregate and (ii) pollution legal liability insurance  
2 with limits not less than \$1,000,000 per occurrence for  
3 companies engaged solely in the dismantling activities and  
4 \$5,000,000 per occurrence for companies engaged in  
5 recycling.

6 (4) Recyclers must maintain on file documentation that  
7 demonstrates the completion of an environmental health and  
8 safety audit completed and certified by a competent  
9 internal and external auditor annually. A competent  
10 auditor is an individual who, through professional  
11 training or work experience, is appropriately qualified to  
12 evaluate the environmental health and safety conditions,  
13 practices, and procedures of the facility. Documentation  
14 of auditors' qualifications must be available for  
15 inspection by Agency officials and third-party auditors.

16 (5) Recyclers must maintain on file proof of workers'  
17 compensation and employers' liability insurance.

18 (6) Recyclers must provide adequate assurance, such as  
19 bonds or corporate guarantees, to cover environmental and  
20 other costs of the closure of the recycler's facility,  
21 including cleanup of stockpiled equipment and materials.

22 (7) Recyclers must apply due diligence principles to  
23 the selection of facilities to which components and  
24 materials, such as plastics, metals, and circuit boards,  
25 from ~~residential~~ CEDs from covered entities are sent for  
26 reuse and recycling.

1           (8) Recyclers must establish a documented  
2 environmental management system that is appropriate in  
3 level of detail and documentation to the scale and  
4 function of the facility, including documented regular  
5 self-audits or inspections of the recycler's environmental  
6 compliance at the facility.

7           (9) Recyclers must use the appropriate equipment for  
8 the proper processing of incoming materials as well as  
9 controlling environmental releases to the environment. The  
10 dismantling operations and storage of ~~residential~~ CED  
11 components from covered entities that contain hazardous  
12 substances must be conducted indoors and over impervious  
13 floors. Storage areas must be adequate to hold all  
14 processed and unprocessed inventory. When heat is used to  
15 soften solder and when ~~residential~~ CED components from  
16 covered entities are shredded, operations must be designed  
17 to control indoor and outdoor hazardous air emissions.

18           (10) Recyclers must establish a system for identifying  
19 and properly managing components, such as circuit boards,  
20 batteries, cathode-ray tubes, and mercury phosphor lamps,  
21 that are removed from ~~residential~~ CEDs from covered  
22 entities during disassembly. Recyclers must properly  
23 manage all hazardous and other components requiring  
24 special handling from ~~residential~~ CEDs from covered  
25 entities consistent with federal, State, and local laws  
26 and regulations. Recyclers must provide visible tracking,

1 such as hazardous waste manifests or bills of lading, of  
2 hazardous components and materials from the facility to  
3 the destination facilities and documentation, such as  
4 contracts, stating how the destination facility processes  
5 the materials received. No recycler may send, either  
6 directly or through intermediaries, hazardous wastes to  
7 solid non-hazardous waste landfills or to non-hazardous  
8 waste incinerators for disposal or energy recovery. For  
9 the purpose of these guidelines, smelting of hazardous  
10 wastes to recover metals for reuse in conformance with all  
11 applicable laws and regulations is not considered disposal  
12 or energy recovery.

13 (11) Recyclers must use a regularly implemented and  
14 documented monitoring and record-keeping program that  
15 tracks for CEDs from covered entities total inbound  
16 ~~residential CED~~ material weights and total subsequent  
17 outbound weights to each destination, injury and illness  
18 rates, and compliance with applicable permit parameters  
19 including monitoring of effluents and emissions. Recyclers  
20 must maintain contracts or other documents, such as sales  
21 receipts, suitable to demonstrate: (i) the reasonable  
22 expectation that there is a downstream market or uses for  
23 designated electronics, which may include recycling or  
24 reclamation processes such as smelting to recover metals  
25 for reuse; and (ii) that any residuals from recycling or  
26 reclamation processes, or both, are properly handled and

1 managed to maximize reuse and recycling of materials to  
2 the extent practical.

3 (12) Recyclers must employ industry-accepted  
4 procedures for the destruction or sanitization of data on  
5 hard drives and other data storage devices. Acceptable  
6 guidelines for the destruction or sanitization of data are  
7 contained in the National Institute of Standards and  
8 Technology's Guidelines for Media Sanitation or those  
9 guidelines certified by the National Association for  
10 Information Destruction.

11 (13) No recycler may employ prison labor in any  
12 operation related to the collection, transportation, and  
13 recycling of CEDs. No recycler may employ any third party  
14 that uses or subcontracts for the use of prison labor.

15 (e) Each recycler shall, during each calendar year,  
16 transport from each site that the recycler uses to manage  
17 ~~residential~~ CEDs from covered entities not less than 75% of  
18 the total weight of ~~residential~~ CEDs from covered entities  
19 present at the site during the preceding calendar year. Each  
20 recycler shall maintain on-site records that demonstrate  
21 compliance with this requirement and shall make those records  
22 available to the Agency for inspection and copying.

23 (f) Nothing in this Act shall prevent a person from acting  
24 as a recycler independently of a manufacturer e-waste program.

25 (Source: P.A. 100-362, eff. 8-25-17; 100-433, eff. 8-25-17.)

1 (415 ILCS 151/1-45)

2 (Section scheduled to be repealed on December 31, 2026)

3 Sec. 1-45. Collector responsibilities.

4 (a) By January 1, 2019, and by January 1 of each year  
5 thereafter for that program year, beginning with program year  
6 2019, a person acting as a collector under a manufacturer  
7 e-waste program shall register with the Agency by completing  
8 and submitting to the Agency the registration form prescribed  
9 by the Agency. The registration form prescribed by the Agency  
10 must include, without limitation, the address of each location  
11 at which the collector accepts ~~residential~~ CEDs from covered  
12 entities.

13 (a-5) The Agency may deny a registration under this  
14 Section if the collector or any employee or officer of the  
15 collector has a history of:

16 (1) repeated violations of federal, State, or local  
17 laws, regulations, standards, or ordinances related to the  
18 collection, recycling, or other management of CEDs;

19 (2) conviction in this State or another state of any  
20 crime which is a felony under the laws of this State, or  
21 conviction of a felony in a federal court; or conviction  
22 in this State or another state or federal court of any of  
23 the following crimes: forgery, official misconduct,  
24 bribery, perjury, or knowingly submitting false  
25 information under any environmental law, regulation, or  
26 permit term or condition; or

1           (3) gross carelessness or incompetence in handling,  
2           storing, processing, transporting, disposing, or otherwise  
3           managing CEDs.

4           (b) The Agency shall post on the Agency's website a list of  
5           all registered collectors.

6           (c) Manufacturers and recyclers acting as collectors shall  
7           so indicate on their registration under Section 1-30 or 1-40  
8           of this Act.

9           (d) By March 1, 2020 and every March 1 thereafter, each  
10          collector that operates a program collection site or one-day  
11          collection event shall report, to the Agency and to the  
12          manufacturer e-waste program, the total weight, by CED  
13          category, of ~~residential~~ CEDs from covered entities  
14          transported from the program collection site or one-day  
15          collection event during the previous program year.

16          (e) Each collector that operates a program collection site  
17          or one-day event shall ensure that the collected ~~residential~~  
18          CEDs from covered entities are sorted and loaded in compliance  
19          with local, State, and federal law. In addition, at a minimum,  
20          the collector shall also comply with the following  
21          requirements:

22               (1) ~~residential~~ CEDs from covered entities must be  
23               accepted at the program collection site or one-day  
24               collection event unless otherwise provided in this Act;

25               (2) ~~residential~~ CEDs from covered entities shall be  
26               kept separate from other material and shall be:

- 1 (A) packaged in a manner to prevent breakage; and
- 2 (B) loaded onto pallets and secured with plastic
- 3 wrap or in pallet-sized bulk containers prior to
- 4 shipping; and
- 5 (C) on average per collection site 18,000 pounds
- 6 per shipment, and if not then the recycler may charge
- 7 the collector a prorated charge on the shortfall in
- 8 weight, not to exceed \$600, unless the total
- 9 collection weight from a one-day collection is less
- 10 than 18,000 pounds, for which the recycler shall not
- 11 charge the collector for any shortfall from a minimum
- 12 of two one-day collection events per program year,
- 13 with the waiver of the shortfall for any additional
- 14 events to be made at the sole discretion of the
- 15 recycler;
- 16 (3) ~~residential~~ CEDs from covered entities shall be
- 17 sorted into the following categories:
- 18 (A) computer monitors and televisions containing a
- 19 cathode-ray tube, other than televisions with wooden
- 20 exteriors;
- 21 (B) computer monitors and televisions containing a
- 22 flat panel screen;
- 23 (C) all covered televisions that are ~~residential~~
- 24 CEDs from covered entities;
- 25 (D) computers;
- 26 (E) all other ~~residential~~ CEDs from covered

1           entities; and

2           (F) any electronic device that is not part of the  
3           manufacturer program that the collector has arranged  
4           to have picked up with ~~residential~~ CEDs from covered  
5           entities and for which a financial arrangement has  
6           been made to cover the recycling costs outside of the  
7           manufacturer program;

8           (4) containers holding the CEDs must be structurally  
9           sound for transportation; and

10          (5) each shipment of ~~residential~~ CEDs from covered  
11          entities from a program collection site or one-day  
12          collection event shall include a collector-prepared bill  
13          of lading or similar manifest, which describes the origin  
14          of the shipment and the number of pallets or bulk  
15          containers of ~~residential~~ CEDs from covered entities in  
16          the shipment.

17          (f) Except as provided in subsection (g) of this Section,  
18          each collector that operates a program collection site or  
19          one-day collection event during a program year shall accept  
20          all ~~residential~~ CEDs from covered entities that are delivered  
21          to the program collection site or one-day collection event  
22          during the program year.

23          (g) No collector that operates a program collection site  
24          or one-day collection event shall:

25                 (1) accept, at the program collection site or one-day  
26                 collection event, more than 7 ~~residential~~ CEDs from

1 covered entities from an individual at any one time;

2 (2) scrap, salvage, dismantle, or otherwise  
3 disassemble any ~~residential~~ CED from a covered entity  
4 collected at a program collection site or one-day  
5 collection event;

6 (3) deliver to a manufacturer e-waste program, through  
7 its recycler, any CED other than a ~~residential~~ CED from a  
8 covered entity collected at a program collection site or  
9 one-day collection event; or

10 (4) deliver to a person other than the manufacturer  
11 e-waste program or its recycler, a ~~residential~~ CED from a  
12 covered entity collected at a program collection site or  
13 one-day collection event.

14 (h) Beginning in program year 2019, registered collectors  
15 participating in county supervised collection programs may  
16 collect a fee for each desktop computer monitor or television  
17 accepted for recycling to cover costs for collection and  
18 preparation for bulk shipment or to cover costs associated  
19 with the requirements of subsection (e) of Section 1-45.

20 (i) Nothing in this Act shall prevent a person from acting  
21 as a collector independently of a manufacturer e-waste  
22 program.

23 (Source: P.A. 100-362, eff. 8-25-17; 100-433, eff. 8-25-17.)

24 (415 ILCS 151/1-84.5)

25 (Section scheduled to be repealed on December 31, 2026)

1           Sec. 1-84.5. Manufacturer clearinghouse; allocation of  
2 financial responsibility for the transportation and recycling  
3 of covered electronic devices.

4           (a) As used in this Section, unless the context otherwise  
5 requires:

6           "Adjusted total proportional responsibility" means the  
7 percentage calculated for each participating manufacturer for  
8 a program year under subsection (f) of this Section.

9           "Market share" means the percentage that results from  
10 dividing:

11           (1) the product of the total weight reported for a CED  
12 category by a manufacturer, for the calendar year 2 years  
13 before the applicable program year, under paragraph (2) of  
14 subsection (a) of Section 1-30 of this Act, multiplied by  
15 the population adjustment factor for that year; by

16           (2) the product of the total weight reported for that  
17 CED category by all manufacturers, for the calendar year 2  
18 years before the applicable program year, under paragraph  
19 (2) of subsection (a) of Section 1-30 of this Act,  
20 multiplied by the population adjustment factor for that  
21 year.

22           "Participating manufacturer" means a manufacturer that a  
23 manufacturer clearinghouse has listed, pursuant to subsection  
24 (c) of this Section, as a participant in the manufacturer  
25 clearinghouse for a program year.

26           "Population adjustment factor" means the percentage that

1 results when (i) the population of Illinois, as reported in  
2 the most recent federal decennial census, is divided by (ii)  
3 the population of the United States, as reported in the most  
4 recent federal decennial census.

5 "Return share" means the percentage, by weight, of each  
6 CED category that is returned to the program collection sites  
7 and one-day collection events operated by or on behalf of  
8 either a manufacturer clearinghouse or one or more of its  
9 participating manufacturers during the calendar year 2 years  
10 before the applicable program year, as reported to the Agency  
11 under Section 1-10 of this Act; except that, for program year  
12 2019 and program year 2020, "return share" means the  
13 percentage, by weight, of each CED category that is estimated  
14 by the manufacturer clearinghouse to be returned to those  
15 sites and events during the applicable program year, as  
16 reported to the Agency under subsection (b) of this Section.

17 "Unadjusted total proportional responsibility" means the  
18 percentage calculated for each participating manufacturer  
19 under subsection (e) of this Section.

20 (b) By March 1, 2018, each manufacturer clearinghouse  
21 shall provide the Agency with a statement of the return share  
22 for each CED category for program year 2019, and by March 1,  
23 2019, each manufacturer clearinghouse shall provide the Agency  
24 with a statement of the return share for each CED category for  
25 program year 2020.

26 (c) If a manufacturer clearinghouse submits to the Agency

1 a manufacturer e-waste program plan under Section 1-25 of this  
2 Act, then the manufacturer clearinghouse shall include in the  
3 plan a list of manufacturers that have agreed to participate  
4 in the manufacturer clearinghouse for the upcoming program  
5 year.

6 (d) By November 1, 2018, and each November 1 thereafter,  
7 the Agency shall provide each manufacturer clearinghouse with  
8 a statement of the unadjusted total proportional  
9 responsibility and adjusted total proportional responsibility  
10 of each of its participating manufacturers for the upcoming  
11 program year.

12 (e) For each program year, the Agency shall calculate the  
13 unadjusted total proportional responsibility of each  
14 participating manufacturer as follows:

15 (1) For each CED category, the Agency shall multiply  
16 (i) the participating manufacturer's market share for the  
17 CED category by (ii) the return share for the CED  
18 category, to arrive at the category-specific proportional  
19 responsibility of the participating manufacturer for the  
20 CED category.

21 (2) The Agency shall then, for each participating  
22 manufacturer, sum the category-specific proportional  
23 responsibilities of the participating manufacturer  
24 calculated under paragraph (1), to arrive at the  
25 participating manufacturer's unadjusted total  
26 proportional responsibility.

1 (f) If the sum of all unadjusted total proportional  
2 responsibilities of a manufacturer clearinghouse's  
3 participating manufacturers for a program year accounts for  
4 less than 100% of the return share for that year, then the  
5 Agency shall divide the unallocated return share among  
6 participating manufacturers in proportion to their unadjusted  
7 total proportional responsibilities, to arrive at the adjusted  
8 total proportional responsibility for each participating  
9 manufacturer.

10 (g) A manufacturer may use retail or private network  
11 collection sites to satisfy some or all of the manufacturer's  
12 responsibilities, including, but not limited to, the  
13 manufacturer's transportation and recycling of collected  
14 ~~residential~~ CEDs from covered entities pursuant to any  
15 allocation methodology established under this Act. Nothing in  
16 this Act shall prevent a manufacturer from using retail or  
17 private network collection sites to satisfy any percentage of  
18 the manufacturer's total responsibilities, including, but not  
19 limited to, the manufacturer's transportation and recycling of  
20 collected ~~residential~~ CEDs from covered entities pursuant to  
21 any allocation methodology established under this Act or by  
22 administrative rule.

23 (Source: P.A. 100-592, eff. 6-22-18.)

24 (415 ILCS 151/1-85)

25 (Section scheduled to be repealed on December 31, 2026)

1           Sec. 1-85. Advisory Electronics Recycling Task Force.

2           (a) There is hereby created an Advisory Electronics  
3 Recycling Task Force, which shall consist of the following 10  
4 members, to be appointed by the Director of the Agency:

5           (1) two individuals who are representatives of county  
6 recycling programs;

7           (2) two individuals who are representatives of  
8 recycling companies;

9           (3) two individuals who are representatives from the  
10 manufacturing industry;

11           (4) one individual who is a representative of a  
12 statewide trade association representing retailers;

13           (5) one individual who is a representative of a  
14 statewide trade association representing manufacturers;

15           (6) one individual who is a one representative of a  
16 statewide trade association representing waste disposal  
17 companies; and

18           (7) one individual who is a representative of a  
19 national trade association representing manufacturers.

20           Members of the Task Force shall be appointed as soon as  
21 practicable after the effective date of this amendatory Act of  
22 the 100th General Assembly, shall serve for 2-year terms, and  
23 may be reappointed. Vacancies shall be filled by the Director  
24 of the Agency for the remainder of the current term. Members  
25 shall serve voluntarily and without compensation.

26           Members shall elect from their number a chairperson, who

1 shall also serve a 2-year term. The Task Force shall meet  
2 initially at the call of the Director of the Agency and  
3 thereafter at the call of the chairperson. A simple majority  
4 of the members of the Task Force shall constitute a quorum for  
5 the transaction of business, and all actions and  
6 recommendations of the Task Force must be approved by a simple  
7 majority of its members.

8 (b) By November 1, 2018, and each November 1 thereafter,  
9 the Task Force shall submit, to the Agency for posting on the  
10 Agency's website, a list of agreed-to best practices to be  
11 used at program collection sites and one-day collection events  
12 in the following program year. By November 1, 2026, and each  
13 November 1 thereafter, the Task Force shall submit, to the  
14 Agency for posting on the Agency's website, agreed-to best  
15 practices for a county, municipal joint action agency, or  
16 municipality to elect to participate in a manufacturer e-waste  
17 program and best practices for education and awareness of  
18 covered entities. When establishing best practices, the Task  
19 Force shall consider the desired intent to preserve existing  
20 collection programs and relationships when possible.

21 (b-5) The Task Force shall receive program updates from  
22 the Agency and e-waste manufacturer program no less frequently  
23 than at each meeting of the Task Force. The Task Force may  
24 discuss and provide program feedback at the option of the Task  
25 Force or upon request of the Agency or e-waste manufacturer  
26 program.

1 (c) The Agency shall provide the Task Force with  
2 administrative support as necessary.

3 (Source: P.A. 100-362, eff. 8-25-17; 100-433, eff. 8-25-17.)

4 (415 ILCS 151/1-86)

5 (Section scheduled to be repealed on December 31, 2026)

6 Sec. 1-86. Public Reporting. Each year, the Agency shall  
7 post on its website the information it receives pursuant to  
8 subdivision (b)(4) of Section 1-10 showing the amounts of  
9 ~~residential~~ CEDs from covered entities being collected and  
10 recycled in each county in each program year. The Agency shall  
11 notify the General Assembly of the availability of this  
12 information.

13 (Source: P.A. 100-433, eff. 8-25-17.)

14 (415 ILCS 151/1-90)

15 (Section scheduled to be repealed on December 31, 2026)

16 Sec. 1-90. Repeal. This Article is repealed on December  
17 31, 2031 ~~2026~~.

18 (Source: P.A. 100-433, eff. 8-25-17.)

19 (415 ILCS 151/1-91 new)

20 Sec. 1-91. Education and consumer awareness requirements.  
21 A manufacturer clearinghouse must carry out education and  
22 consumer awareness activities in support of plan  
23 implementation including, but not limited to:

1           (1) the development and maintenance of a program  
2           website;

3           (2) the development and posting on the program website  
4           of educational materials that provide consumers with  
5           awareness of the program and the restriction on the  
6           disposal of CEDS in Section 1-83, with educational  
7           materials provided in digital or printable formats  
8           suitable for distribution at retailers, at collection  
9           sites, on websites, on social media, or through other  
10           relevant platforms that are accessible for use by persons  
11           including, but not limited to, manufacturers, retailers,  
12           government agencies, waste and recycling collectors, and  
13           nonprofit organizations;

14           (3) the posting on the program website of all program  
15           collection sites, one-day collection events, retail  
16           collection sites, and private network collection sites,  
17           including the county served by each, for each program year  
18           as specified in the e-waste program plan required in  
19           Section 1-25; and

20           (4) the posting on the program website of the annual  
21           program report required in Section 1-10(b)(4) following  
22           submittal of the report to the Agency.