

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 Electronic Products Recycling and Reuse Act
5 is amended by changing Sections 5, 10, 30, 55, 60, and 65 as
6 follows:

7 (415 ILCS 150/5)

8 Sec. 5. Findings and purpose.

9 (a) The General Assembly finds all of the following:

10 (1) Electronic products are the fastest growing
11 portion of the solid waste stream. In 2007, 3,000,000 ~~2005,~~
12 ~~2,600,000~~ tons of electronic products became obsolete yet
13 only 14% ~~13%~~ of those products were recycled.

14 (2) Many electronic products contain lead, mercury,
15 cadmium, hexavalent chromium, and other materials that
16 pose environmental and health risks that must be managed.

17 (3) Many obsolete electronic products can be recycled
18 or refurbished for reuse and then returned to the economic
19 mainstream in the form of raw materials or products.

20 (4) Electronic products contain metals, plastics, and
21 leaded glass that have resale value. The reuse of these
22 components conserves natural resources and energy, and the
23 reuse also reduces air and water pollution and greenhouse

1 gas emissions.

2 (5) The A management of obsolete residential products
3 is necessary to prioritize ~~place~~ the reuse and recycling of
4 obsolete residential electronic products as the preferred
5 management strategy over incineration and landfill
6 disposal.

7 (6) The 2010 Recycling Economic Information Study
8 Update for Illinois estimates that the total economic
9 impact of recycling and reusing obsolete electronic
10 products resulted in the creation of nearly 8,000 jobs and
11 \$622 million in annual receipts. ~~The Illinois Recycling~~
12 ~~Economic Information Study of 2001 estimates that the total~~
13 ~~economic impact of establishing statewide recycling and~~
14 ~~reuse programs for residential electronic products may~~
15 ~~result in the creation of nearly 4,000 new jobs and \$740~~
16 ~~million in annual receipts.~~

17 (7) The State-appointed Computer Equipment Disposal
18 and Recycling Commission issued a final report in May 2006
19 recommending legislative, regulatory, or other actions to
20 properly address the recycling and reuse of obsolete
21 residential electronic products.

22 (b) The purpose of this Act is to set forth procedures by
23 which the recycling and processing for reuse of covered
24 electronic devices will be accomplished in Illinois.

25 (Source: P.A. 95-959, eff. 9-17-08.)

1 (415 ILCS 150/10)

2 Sec. 10. Definitions. As used in this Act:

3 "Agency" means the Environmental Protection Agency.

4 "Cathode-ray tube" means a vacuum tube or picture tube used
5 to convert an electronic signal into a visual image, such as a
6 television or computer monitor.

7 "Collector" means a person who receives covered electronic
8 devices or eligible electronic devices directly from a
9 residence for recycling or processing for reuse. "Collector"
10 includes, but is not limited to, manufacturers, recyclers, and
11 refurbishers who receive CEDs or EEDs directly from the public.

12 "Computer", often referred to as a "personal computer" or
13 "PC", means a desktop or notebook computer as further defined
14 below and used only in a residence, but does not mean an
15 automated typewriter, electronic printer, mobile telephone,
16 portable hand-held calculator, portable digital assistant
17 (PDA), MP3 player, or other similar device. "Computer" does not
18 include computer peripherals, commonly known as cables, mouse,
19 or keyboard. "Computer" is further defined as either:

20 (1) "Desktop computer", which means an electronic,
21 magnetic, optical, electrochemical, or other high-speed
22 data processing device performing logical, arithmetic, or
23 storage functions for general purpose needs that are met
24 through interaction with a number of software programs
25 contained therein, and that is not designed to exclusively
26 perform a specific type of logical, arithmetic, or storage

1 function or other limited or specialized application.
2 Human interface with a desktop computer is achieved through
3 a stand-alone keyboard, stand-alone monitor, or other
4 display unit, and a stand-alone mouse or other pointing
5 device, and is designed for a single user. A desktop
6 computer has a main unit that is intended to be
7 persistently located in a single location, often on a desk
8 or on the floor. A desktop computer is not designed for
9 portability and generally utilizes an external monitor,
10 keyboard, and mouse with an external or internal power
11 supply for a power source. Desktop computer does not
12 include an automated typewriter or typesetter; or

13 (2) "Notebook computer", which means an electronic,
14 magnetic, optical, electrochemical, or other high-speed
15 data processing device performing logical, arithmetic, or
16 storage functions for general purpose needs that are met
17 through interaction with a number of software programs
18 contained therein, and that is not designed to exclusively
19 perform a specific type of logical, arithmetic, or storage
20 function or other limited or specialized application.
21 Human interface with a notebook computer is achieved
22 through a keyboard, video display greater than 4 inches in
23 size, and mouse or other pointing device, all of which are
24 contained within the construction of the unit that
25 comprises the notebook computer; supplemental stand-alone
26 interface devices typically can also be attached to the

1 notebook computer. Notebook computers can use external,
2 internal, or batteries for a power source. Notebook
3 computer does not include a portable hand-held calculator,
4 or a portable digital assistant or similar specialized
5 device. A notebook computer has an incorporated video
6 display greater than 4 inches in size and can be carried as
7 one unit by an individual. A notebook computer is sometimes
8 referred to as a laptop computer.

9 "Computer monitor" means an electronic device that is a
10 cathode-ray tube or flat panel display primarily intended to
11 display information from a computer and is used only in a
12 residence.

13 "Covered electronic device" or "CED" means any computer,
14 computer monitor, television, or printer that is taken out of
15 service from a residence in this State regardless of purchase
16 location. "Covered electronic device" does not include any of
17 the following:

18 (1) an electronic device that is a part of a motor
19 vehicle or any component part of a motor vehicle assembled
20 by or for a vehicle manufacturer or franchised dealer,
21 including replacement parts for use in a motor vehicle;

22 (2) an electronic device that is functionally or
23 physically part of a larger piece of equipment or that is
24 taken out of service from an industrial, commercial
25 (including retail), library checkout, traffic control,
26 kiosk, security (other than household security),

1 governmental, agricultural, or medical setting, including
2 but not limited to diagnostic, monitoring, or control
3 equipment; or

4 (3) an electronic device that is contained within a
5 clothes washer, clothes dryer, refrigerator, refrigerator
6 and freezer, microwave oven, conventional oven or range,
7 dishwasher, room air conditioner, dehumidifier, water
8 pump, sump pump, or air purifier.

9 To the extent allowed under federal and State laws and
10 regulations, a CED that is being collected, recycled, or
11 processed for reuse is not considered to be hazardous waste,
12 household waste, solid waste, or special waste.

13 "Developmentally disabled", as defined by the Illinois
14 Department of Human Services, Division of Developmental
15 Disabilities Program Manual, means having mental retardation
16 or a related condition. For the purposes of this Act:

17 (1) "Mental retardation" means significantly
18 subaverage general intellectual functioning as well as
19 deficits in adaptive behavior that manifested before age
20 22. A person's general intellectual functioning is
21 significantly subaverage if that person has an
22 intelligence quotient (IQ) of 70 or below on standardized
23 measures of intelligence. This upper limit, however, may be
24 extended upward depending on the reliability of the
25 intelligence test used.

26 (2) "Related condition" means a severe, chronic

1 disability that (i) is attributable to cerebral palsy,
2 epilepsy, or any other condition, other than mental
3 illness, (ii) is found to be closely related to mental
4 retardation because the condition results in impairment of
5 general intellectual functioning or adaptive behavior
6 similar to that of a person with mental retardation, and
7 (iii) requires treatment or services similar to those
8 required for persons with mental retardation. ~~means having~~
9 ~~a severe disability, as defined by the Office of~~
10 ~~Rehabilitation Services of the Illinois Department of~~
11 ~~Human Services, that can be expected to result in death or~~
12 ~~that has lasted, or is expected to last, at least 12 months~~
13 ~~and that prevents working at a "substantial gainful~~
14 ~~activity" level.~~

15 "Dismantling" means the demanufacturing and shredding of a
16 CED.

17 "Eligible electronic device" or "EED" means any of the
18 following electronic products taken out of service from a
19 residence in this State regardless of purchase location: mobile
20 telephone; computer cable, mouse, or keyboard; stand-alone
21 facsimile machine; MP3 player; portable digital assistant
22 (PDA); video game console, video cassette recorder/player,
23 digital video disk player, or similar video device; zip drive;
24 or scanner. To the extent allowed under federal and state laws
25 and regulations, an EED that is being collected, recycled, or
26 processed for reuse is not considered to be hazardous waste,

1 household waste, solid waste, or special waste.

2 "Low income children and families" mean those children and
3 families that are subject to the most recent version of the
4 United States Department of Health and Human Services Federal
5 Poverty Guidelines.

6 "Manufacturer" means a person, or a successor in interest
7 to a person, under whose brand or label a CED is or was sold at
8 retail. For CEDs sold at retail under a brand or label that is
9 licensed from a person who is a mere brand owner and who does
10 not sell or produce the CED, the person who produced the CED or
11 his or her successor in interest is the manufacturer. For CEDs
12 sold that were at retail under the brand or label of both the
13 retail seller and the person that produced the CED, the person
14 that produced the CED, or his or her successor in interest, is
15 the manufacturer. A retail seller of CEDs may elect to be the
16 manufacturer of one or more CEDs if the retail seller provides
17 written notice to the Agency that it is accepting
18 responsibility as the manufacturer of the CED under this Act
19 and identifies the CEDs for which it is electing to be the
20 manufacturer.

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

24 "Orphan CEDs" means those CEDs that are returned for
25 recycling, or processing for reuse, whose manufacturer cannot
26 be identified, or whose manufacturer is no longer conducting

1 business and has no successor in interest.

2 "Person" means any individual, partnership,
3 co-partnership, firm, company, limited liability company,
4 corporation, association, joint stock company, trust, estate,
5 political subdivision, State agency, or any other legal entity,
6 or a legal representative, agent, or assign of that entity.

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

20 "Processing for reuse" means any method, technique, or
21 process by which CEDs or EEDs that would otherwise be disposed
22 of or discarded are instead separated, processed, and returned
23 to their original intended purposes or to other useful purposes
24 as electronic devices. "Processing for reuse" includes the
25 collection and transportation of CEDs or EEDs.

26 "Program Year" means a calendar year. The first program

1 year is 2010.

2 "Recycler" means a person who engages in the recycling of
3 CEDs or EEDs, but does not include telecommunications carriers,
4 telecommunications manufacturers, or commercial mobile service
5 providers with an existing recycling program.

6 "Recycling" means any method, technique, or process by
7 which CEDs or EEDs that would otherwise be disposed of or
8 discarded are instead collected, separated, or processed and
9 are returned to the economic mainstream in the form of raw
10 materials or products. "Recycling" includes the collection,
11 transportation, dismantling, and shredding of the CEDs or EEDs.

12 "Refurbisher" means any person who processes CEDs or EEDs
13 for reuse, but does not include telecommunications carriers,
14 telecommunications manufacturers, or commercial mobile service
15 providers with an existing recycling program.

16 "Residence" means a dwelling place or home in which one or
17 more individuals live.

18 "Retailer" means a person who sells, rents, or leases,
19 through sales outlets, catalogues, or the Internet, computers,
20 computer monitors, printers, or televisions at retail to
21 individuals in this State. For purposes of this Act, sales to
22 individuals at retail are considered to be sales for
23 residential use. "Retailer" includes, but is not limited to,
24 manufacturers who sell computers, computer monitors, printers,
25 or televisions at retail directly to individuals in this State.

26 "Sale" means any retail transfer of title for consideration

1 of title including, but not limited to, transactions conducted
2 through sales outlets, catalogs, or the Internet or any other
3 similar electronic means but does not mean financing or
4 leasing.

5 "Television" means an electronic device (i) containing a
6 cathode-ray tube or flat panel screen the size of which is
7 greater than 4 inches when measured diagonally, (ii) that is
8 intended to receive video programming via broadcast, cable, or
9 satellite transmission or to receive video from surveillance or
10 other similar cameras, and (iii) that is used only in a
11 residence.

12 "Underserved counties" means those counties so identified
13 in Section 60.

14 (Source: P.A. 95-959, eff. 9-17-08; 96-1154, eff. 7-21-10.)

15 (415 ILCS 150/30)

16 Sec. 30. Manufacturer responsibilities.

17 (a) Prior to April 1, 2009 for the first program year, and
18 by October 1 for program year 2011 and thereafter,
19 manufacturers who offer ~~whose~~ computers, computer monitors,
20 printers, or televisions for sale ~~are sold~~ in this State must
21 register with the Agency. The registration must be submitted in
22 the form and manner required by the Agency. The registration
23 must include, without limitation, all of the following:

24 (1) a list of all of the manufacturer's brands of
25 computers, computer monitors, printers, or televisions to

1 be offered for sale in the next program year;

2 (2) for manufacturers of both televisions and
3 computers, computer monitors, or printers, an
4 identification of whether, for residential use, (i)
5 televisions or (ii) computers, computer monitors, and
6 printers, represent the larger number of units sold for the
7 manufacturer; and

8 (3) a statement disclosing whether: ~~(A) any computer,~~
9 computer monitor, printer, or television sold in this State
10 exceeds the maximum concentration values established for
11 lead, mercury, cadmium, hexavalent chromium,
12 polybrominated biphenyls (PBBs), and polybrominated
13 diphenyl ethers (PBDEEs) under the RoHS (restricting the
14 use of certain hazardous substances in electrical and
15 electronic equipment) Directive 2002/95/EC of the European
16 Parliament and Council and any amendments thereto and, if
17 so, an identification of that computer, computer monitor,
18 printer, or television; ~~or (B) the manufacturer has~~
19 ~~received an exemption from one or more of those maximum~~
20 ~~concentration values under the RoHS Directive that has been~~
21 ~~approved and published by the European Commission.~~

22 If, during the program year, a manufacturer's computer,
23 computer monitor, printer, or television is sold or offered for
24 sale in Illinois under a new brand that is not listed in the
25 manufacturer's registration, then, within 30 days after the
26 first sale or offer for sale under the new brand, the

1 manufacturer must amend its registration to add the new brand.

2 (b) Prior to July 1, 2009 for the first program year, and
3 by the November 1 preceding program years 2011 and later, all
4 manufacturers whose computers, computer monitors, printers, or
5 televisions are offered for sale ~~sold~~ in the State shall submit
6 to the Agency, at an address prescribed by the Agency, the
7 registration fee for the next program year. The registration
8 fee for program ~~years~~ ~~year~~ 2010 and 2011 is \$5,000. In program
9 year 2012, if, during the preceding program year, a
10 manufacturer sold 250 or fewer computers, computer monitors,
11 printers, and televisions in the State, then the registration
12 fee for that manufacturer is \$1,250. In each program year after
13 2012, if, in the preceding program year, a manufacturer sold
14 250 or fewer computers, computer monitors, printers, and
15 televisions in the State, then the registration fee for that
16 manufacturer in that year is the fee that applied in the
17 previous year to manufacturers that sold that number of items,
18 increased by the applicable inflation factor as described
19 below. In program year 2012, if, during the preceding program
20 year, a manufacturer sold 251 or more computers, computer
21 monitors, printers, and televisions in the State, then the
22 registration fee for that manufacturer in that year is \$5,000.
23 In each program year after 2012, if, in the preceding program
24 year, a manufacturer sold 251 or more computers, computer
25 monitors, printers, and televisions in the State, then the
26 registration fee for that manufacturer in that year is the fee

1 that applied in the previous year to manufacturers that sold
2 that number of items, increased by the applicable inflation
3 factor as described below. For program years 2013 ~~2011~~ and
4 later, the applicable registration fee is increased each year
5 by an inflation factor determined by the annual Implicit Price
6 Deflator for Gross National Product, as published by the U.S.
7 Department of Commerce in its Survey of Current Business. The
8 inflation factor must be calculated each year by dividing the
9 latest published annual Implicit Price Deflator for Gross
10 National Product by the annual Implicit Price Deflator for
11 Gross National Product for the previous year. The inflation
12 factor must be rounded to the nearest 1/100th, and the
13 resulting registration fee must be rounded to the nearest whole
14 dollar. No later than October 1 of each program year, the
15 Agency shall post on its website the registration fee for the
16 next program year.

17 (c) A manufacturer whose computers, computer monitors,
18 printers, or televisions are first sold or offered for sale in
19 this State on or after January 1 of a program year must
20 register with the Agency within 30 days after the first sale in
21 accordance with subsection (a) of this Section and submit the
22 registration fee required under subsection (b) of this Section
23 prior to the manufacturer's computers, computer monitors,
24 printers, or televisions being sold or offered for sale.

25 (d) Each manufacturer shall recycle or process for reuse
26 CEDs and EEDs whose total weight equals or exceeds the

1 manufacturer's individual recycling and reuse goal set forth in
2 Section 19 of this Act. Individual consumers may not be charged
3 an end-of-life fee when bringing their CEDs and EEDs to
4 ~~permanent or temporary~~ collection locations, unless a
5 financial incentive of equal or greater value, such as a
6 coupon, is provided. Individual consumers shall not be charged
7 a fee for the destruction or sanitization of data on hard
8 drives and other data storage devices. Collectors may charge a
9 fee for premium services such as curbside collection, home
10 pick-up, or a similar method of collection.

11 When determining whether a manufacturer has met or exceeded
12 its individual recycling and reuse goal set forth in Section 19
13 of this Act, all of the following adjustments must be made:

14 (1) The total weight of CEDs processed ~~for reuse~~ by the
15 manufacturer, its recyclers, or its refurbishers for reuse
16 is quadrupled ~~doubled~~.

17 (2) The total weight of CEDs is quadrupled ~~tripled~~ if
18 they are donated for reuse by the manufacturer to a primary
19 or secondary public education institution the majority of
20 whose students are considered low income or
21 developmentally disabled or to ~~a not-for-profit entity~~
22 ~~that is established under Section 501(c)(3) of the Internal~~
23 ~~Revenue Code of 1986 and whose principal mission is to~~
24 ~~assist~~ low-income children or families or to assist the
25 developmentally disabled in Illinois. This subsection
26 applies only to CEDs for which the manufacturer has

1 received a written confirmation that the recipient has
2 accepted the donation. Copies of all written confirmations
3 must be submitted in the annual report required under
4 Section 30.

5 (3) The total weight of CEDs collected by manufacturers
6 free of charge in underserved counties is doubled. This
7 subsection applies only to CEDs that are documented by
8 collectors as being collected or received free of charge in
9 underserved counties. This documentation must include,
10 without limitation, the date and location of collection or
11 receipt, the weight of the CEDs collected or received, and
12 an acknowledgement by the collector that the CEDs were
13 collected or received free of charge. Copies of the
14 documentation must be submitted in the annual report
15 required under subsection (h), (i), (j), (k), or (l) of
16 Section 30.

17 (4) The total weight of CEDs will be tripled if they
18 are collected, recycled, or refurbished for a manufacturer
19 by a not-for-profit entity the majority of whose employees
20 are developmentally disabled. A manufacturer that uses a
21 not-for-profit recycler or refurbisher the majority of
22 whose employees are developmentally disabled shall submit
23 documentation in the annual report required under Section
24 30 identifying the name, location, and length of service of
25 the entity that qualifies for credit under this subsection.

26 (e) Manufacturers of computers, computer monitors, or

1 printers, either individually or collectively, shall hire an
2 independent third-party auditor to perform statistically
3 significant return share samples of CEDs received by recyclers
4 and refurbishers for recycling or processing for reuse. Each
5 third-party auditor shall perform a return share sample of CEDs
6 for at least one 8-hour period, once a quarter during the
7 program year at the facility of each registered recycler and
8 refurbisher under contract with the manufacturer or group of
9 manufacturers that has hired the auditor. The audit shall
10 contain the following data:

11 (1) the number and weight of CEDs, sorted by brand name
12 and product type, including a category for orphan CEDs;

13 (2) the total weight of the sample by product type;

14 (3) the date, location, and time of the sampling;

15 (4) the name or names of the manufacturer for whom the
16 recycler is performing activities under this Act; and

17 (5) a certification by the third-party auditor that the
18 sampling is statistically significant and, if not, an
19 explanation as to what occurred to render the sampling
20 insignificant.

21 The manufacturer shall notify the Agency 30 days prior to
22 the third-party auditor's return share sampling by providing
23 the Agency with the time and date on which the third-party
24 auditor will perform the return share sample. The Agency may,
25 at its discretion, be present at any sampling event and may
26 audit the methodology and the results of the third-party

1 auditor.

2 No less than 30 days after the close of each calendar
3 quarter, the manufacturer shall submit to the Agency the
4 results of the third-party samplings conducted during the
5 quarter. The results shall be submitted in the form and manner
6 required by the Agency.

7 (f) Manufacturers shall ensure that only recyclers and
8 refurbishers that have registered with the Agency are used to
9 meet the individual recycling and reuse goals set forth in this
10 Act.

11 (g) Manufacturers shall ensure that the recyclers and
12 refurbishers used to meet the individual recycling and reuse
13 goals set forth in this Act shall, at a minimum, comply with
14 the standards set forth under subsection (d) of Section 50 of
15 this Act. By November 1, 2011 and every November 1 thereafter,
16 manufacturers shall submit a document, as prescribed by the
17 Agency, listing each registered recycler and refurbisher that
18 will be used to meet the manufacturer's annual CED recycling
19 and reuse goal and certifying that those recyclers or
20 refurbishers comply with the standards set forth in subsection
21 (d) of Section 50.

22 (h) By August 15, 2009, television manufacturers shall
23 submit to the Agency, in the form and manner required by the
24 Agency, a report that contains the total weight of televisions
25 sold under each of the manufacturer's brands to individuals ~~at~~
26 ~~retail~~ in this State, as set forth in the reports to

1 manufacturers by retailers under subsection (c) of Section 40.

2 (i) No later than September 1, 2010, television
3 manufacturers must submit to the Agency, in the form and manner
4 required by the Agency, a report for the period January 1, 2010
5 through June 30, 2010 that contains both of the following:

6 (1) The total weight of televisions sold under each of
7 the manufacturer's brands to individuals at retail in this
8 State, from one of the following 2 sources, with the
9 manufacturer indicating in the report which of the 2 data
10 sources was used, and, if a national sales data report was
11 used, the name of the national sales data source:

12 (A) the manufacturer's own sales reports; or

13 (B) national sales data reports obtained by the
14 manufacturer and pro-rated to Illinois by multiplying
15 the weight of the manufacturer's televisions sold
16 nationally by the quotient that results from dividing
17 the population of Illinois by the population of the
18 United States. The population of Illinois and the
19 United States shall be obtained using the most recent
20 U.S. census data.

21 (2) The total weight of computers, the total weight of
22 computer monitors, the total weight of printers, the total
23 weight of televisions, and the total weight of EEDs
24 recycled or processed for reuse.

25 (j) By August 15, 2010, computer, computer monitor, and
26 printer manufacturers shall submit to the Agency, on forms and

1 in a format prescribed by the Agency, a report for the period
2 January 1, 2010 through June 30, 2010 that contains the total
3 weight of computers, the total weight of computer monitors, the
4 total weight of printers, the total weight of televisions, and
5 the total weight of EEDs, recycled or processed for reuse.

6 (k) No later than April 1 of program years 2011 and
7 thereafter, television manufacturers shall submit to the
8 Agency, in the form and manner required by the Agency, a report
9 that contains all of the following information for the previous
10 program year:

11 (1) The total weight of televisions sold under each of
12 the manufacturer's brands to individuals at retail in this
13 State, from one of the following 2 sources, with the
14 manufacturer indicating in the report which of the two data
15 sources was used, and, if a national sales data report was
16 used, the name of the national sales data source:

17 (a) the manufacturer's own sales reports; or

18 (b) national sales data reports obtained by the
19 manufacturer and pro-rated to Illinois by multiplying
20 the weight of the manufacturer's televisions sold
21 nationally by the quotient that results from dividing
22 the population of Illinois by the population of the
23 United States. The population of Illinois and the
24 United States shall be obtained using the most recent
25 U.S. census data.

26 (2) The total weight of computers, the total weight of

1 computer monitors, the total weight of printers, the total
2 weight of televisions, and the total weight of EEDs
3 recycled or processed for reuse.

4 (3) The identification of all weights that are adjusted
5 under subsection (d) of this Section. For all weights
6 adjusted under item (2) of subsection (d), the manufacturer
7 must include copies of the written confirmation required
8 under that subsection.

9 (4) A list of each recycler, refurbisher, and collector
10 used by the manufacturer to fulfill the manufacturer's
11 individual recycling and reuse goal set forth in Section 19
12 of this Act.

13 (5) A summary of the manufacturer's consumer education
14 program required under subsection (m) of this Section.

15 (1) On or before January 31, 2013 and on or before every
16 January 31 ~~No later than April 1 of program years 2011 and~~
17 ~~thereafter,~~ computer, computer monitor, ~~and~~ printer, and
18 television manufacturers shall submit to the Agency, on forms
19 and in a format prescribed by the Agency, a report that
20 contains all of the following information for the previous
21 program year:

22 (1) The ~~the~~ total weight of computers, the total weight
23 of computer monitors, the total weight of printers, the
24 total weight of televisions, and the total weight of EEDs
25 recycled or processed for reuse. †

26 (2) The ~~the~~ identification of all weights that are

1 adjusted under subsection (d) of this Section. For all
2 weights adjusted under item (2) of subsection (d), the
3 manufacturer must include copies of the written
4 confirmation required under that subsection. †

5 (3) A ~~a~~ list of each recycler, refurbisher, and
6 collector used by the manufacturer to fulfill the
7 manufacturer's individual recycling and reuse goal set
8 forth in subsection (c) of Section 15 of this Act. † ~~and~~

9 (4) A ~~a~~ summary of the manufacturer's consumer
10 education program required under subsection (m) of this
11 Section.

12 (m) Manufacturers must develop and maintain a consumer
13 education program that complements and corresponds to the
14 primary retailer-driven campaign required under Section 40 of
15 this Act. The education program shall promote the recycling of
16 electronic products and proper end-of-life management of the
17 products by consumers.

18 (n) Beginning January 1 2010, no manufacturer may sell a
19 computer, computer monitor, printer, or television in this
20 State unless the manufacturer is registered with the State as
21 required under this Act, has paid the required registration
22 fee, and is otherwise in compliance with the provisions of this
23 Act.

24 (o) Beginning January 1, 2010, no manufacturer may sell a
25 computer, computer monitor, printer, or television in this
26 State unless the manufacturer's brand name is permanently

1 affixed to, and is readily visible on, the computer, computer
2 monitor, printer, or television.

3 (Source: P.A. 95-959, eff. 9-17-08; 96-1154, eff. 7-21-10.)

4 (415 ILCS 150/55)

5 Sec. 55. Collector responsibilities.

6 (a) No later than January 1 of each program year,
7 collectors that collect or receive CEDs or EEDs for one or more
8 manufacturers, recyclers, or refurbishers shall register with
9 the Agency. Registration must be in the form and manner
10 required by the Agency and must include, without limitation,
11 the address of each location where CEDs or EEDs are received
12 and the identification of each location at which the collector
13 accepts CEDs or EEDs from a residence.

14 (b) Manufacturers, recyclers, refurbishers also acting as
15 collectors shall so indicate on their registration under
16 Section 30 or 50 and not register separately as collectors.

17 (c) No later than August 15, 2010, collectors must submit
18 to the Agency, on forms and in a format prescribed by the
19 Agency, a report for the period from January 1, 2010 through
20 June 30, 2010 that contains the following information: the
21 total weight of computers, the total weight of computer
22 monitors, the total weight of printers, the total weight of
23 televisions, and the total weight of EEDs collected or received
24 for each manufacturer.

25 (d) By January 31 ~~No later than May 1~~ of each program year,

1 collectors must submit to the Agency, on forms and in a format
2 prescribed by the Agency, a report that contains the following
3 information for the previous program year:

4 (1) The ~~the~~ total weight of computers, the total weight
5 of computer monitors, the total weight of printers, the
6 total weight of televisions, and the total weight of EEDs
7 collected or received for each manufacturer during the
8 previous program year.

9 (2) A ~~a~~ list of each recycler and refurbisher that
10 received CEDs and EEDs from the collector and the total
11 weight each recycler and refurbisher received.

12 (3) The ~~the~~ address of each collector's facility where
13 the CEDs and EEDs were collected or received. Each facility
14 address must include the county in which the facility is
15 located.

16 (e) Collectors may accept no more than 10 CEDs or EEDs at
17 one time from individual members of the public and, when
18 scheduling collection events, shall provide no fewer than 30
19 days' notice to the county waste agency of those events.

20 (Source: P.A. 95-959, eff. 9-17-08; 96-1154, eff. 7-21-10.)

21 (415 ILCS 150/60)

22 Sec. 60. Collection strategy for underserved counties.

23 (a) For program year 2010 and 2011, all counties in this
24 State except the following are considered underserved:
25 Champaign, Clay, Clinton, Cook, DuPage, Fulton, Hancock,

1 Henry, Jackson, Kane, Kendall, Knox, Lake, Livingston,
2 Macoupin, McDonough, McHenry, McLean, Mercer, Peoria, Rock
3 Island, St. Clair, Sangamon, Schuyler, Stevenson, Warren,
4 Will, Williamson, and Winnebago.

5 (b) For program year 2012 and each program year thereafter,
6 "underserved counties" means those counties within the State of
7 Illinois with a population density of not more than than 190
8 persons per square mile, based on the most recent U.S. Census
9 data. ~~For program years 2011 and later, underserved counties~~
10 ~~shall be counties in this State that, during the program year 2~~
11 ~~years prior, were not served by a minimum of one collection~~
12 ~~site that (i) accepted all types of CEDs and EEDs and (ii) was~~
13 ~~open for a minimum of 8 hours on at least one day per month of~~
14 ~~that program year. For the purposes of this subsection (b),~~
15 ~~2009 shall be considered to have been a program year, and for~~
16 ~~the program year 2012 the determination of whether a county is~~
17 ~~underserved shall be based on the criteria of this subsection~~
18 ~~(b) instead of the county's inclusion in the list set forth in~~
19 ~~subsection (a) of this Section.~~

20 (Source: P.A. 95-959, eff. 9-17-08.)

21 (415 ILCS 150/65)

22 Sec. 65. State government procurement.

23 (a) The Department of Central Management Services shall
24 ensure that all bid specifications and contracts for the
25 purchase or lease of desktop computers, laptop or notebook

1 computers, and computer monitors, by State agencies under a
2 statewide master contract require that the electronic products
3 have a Bronze performance tier or higher registration under the
4 Electronic Product Environmental Assessment Tool ("EPEAT")
5 operated by the Green Electronics Council.

6 (b) The Department of Central Management Services shall
7 ensure that bid specifications and contracts for the purchase
8 or lease of televisions and printers by State agencies under a
9 statewide master contract require that the printers or
10 televisions have a Bronze performance tier or higher
11 registration under EPEAT if the Department determines that
12 there are an adequate number of the televisions or printers
13 registered under EPEAT to provide a sufficiently competitive
14 bidding environment.

15 (c) This Section applies to bid specifications issued, and
16 contracts entered into, on or after January 1, 2010.

17 (Source: P.A. 95-959, eff. 9-17-08; 96-1154, eff. 7-21-10.)

18 Section 99. Effective date. This Act takes effect upon
19 becoming law.