



# Ohio Legislative Service Commission

## Bill Analysis

Bill Rowland

### H.B. 447

128th General Assembly  
(As Introduced)

**Reps.** Murray, Hagan, Foley, Domenick, Chandler, Skindell, Phillips, Harris, B. Williams, Okey, Winburn, Letson, Stewart, Fende

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## BILL SUMMARY

- Requires a manufacturer who sells or offers for sale in Ohio a new covered electronic device to register with the Director of Environmental Protection, specifies information that must be included with the registration, and, until October 1, 2016, levies an annual registration fee of \$5,000.
- Defines "covered electronic device" to mean a covered computer or covered video display device, and generally defines "covered computer" to mean a computer that was or will be used primarily for personal or small business purposes in Ohio and "covered video display device" to mean a video display device that was or will be used primarily for those purposes in Ohio.
- Requires a manufacturer's registration to include specified information that describes the implementation of a covered electronic device take-back program operated by the manufacturer.
- Beginning April 1, 2011, prohibits a manufacturer from selling or offering for sale at a sales outlet, by mail order, via the internet, or by any other means in Ohio a new covered electronic device unless the manufacturer has established a computer take-back program or a video display device take-back program, as applicable.
- Requires a manufacturer to establish a covered computer take-back program beginning April 1, 2011, and, with respect to such a program, establishes requirements governing covered computer collection methods, the provision of information about the program to consumers, and the provision of information about how to effectively destroy or sanitize data on a computer's hard drive.

- As part of a computer take-back program, requires a manufacturer of a covered computer or the manufacturer's designee, through March 31, 2013, to accept from a consumer any type or brand of covered computer that has reached the end of its useful life for the consumer and, after March 31, 2013, to accept from a consumer the manufacturer's covered computer that has reached the end of its useful life for the consumer.
- Specifies that, under a covered computer take-back program, a manufacturer is not required to accept more than seven covered computers from a single consumer on a single day.
- Prohibits a manufacturer or the manufacturer's designee from charging a fee with respect to a covered computer take-back program unless the manufacturer or the manufacturer's designee grants a consumer certain goods or services in exchange for the fee and the consumer agrees to accept them.
- Requires a manufacturer of a covered video display device to establish a covered video display device take-back program beginning April 1, 2011, and, with respect to such a program, establishes requirements governing covered video display device collection methods and the provision of information about the program to consumers.
- Prohibits a manufacturer or the manufacturer's designee from charging a fee with respect to a covered video display device take-back program unless the manufacturer or the manufacturer's designee grants a consumer certain goods or services in exchange for the fee and the consumer agrees to accept them.
- Establishes a nonbinding goal under which a manufacturer conducting a video display device take-back program must recycle annually 60% of the total weight of covered video display devices sold by the manufacturer in Ohio during the previous fiscal year.
- Authorizes a manufacturer to arrange for the collection and recycling of covered computers and covered video display devices by another person and to conduct a covered computer take-back program or covered video display device take-back program in conjunction with other manufacturers.
- Requires a recycler who operates in Ohio to register with the Director of Environmental Protection, specifies information required to be included with the registration, and, until October 1, 2016, levies an annual registration fee of \$300.
- Requires a recycler operating in Ohio to comply with all applicable state and federal laws and rules adopted under them governing the storage, transportation,

processing, and exportation of a covered electronic device; use procedures accepted by the computer industry for the destruction or sanitization of data on a hard drive or other memory storage device; provide certain advise to a person who delivers a covered computer to the recycler regarding destruction or sanitizing of data on a computer's hard drive; maintain records that identify the type and quantity of covered electronic devices received and those that are transferred; and make available for review required records when requested by the Director.

- Creates the Electronic Waste Recycling Fund consisting of all fees collected under the bill, and specifies that money in the Fund must be used by the Director to implement the bill.
- Because of the placement of the bill's provisions in the Solid, Hazardous, and Infectious Waste Law, applies enforcement procedures, civil penalties, and criminal penalties that are currently established in that Law to the bill.
- Creates the Electronic Waste Advisory Council consisting of specified members, and terminates it on July 1, 2013.
- Requires the Council to prepare a report that evaluates computer take-back programs and video display device take-back programs, requires the Council to make recommendations for improving the recycling of covered electronic devices, and specifies the items about which the Council must make recommendations.

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## CONTENT AND OPERATION

### Definitions

The bill defines the following terms for purposes of the covered electronic devices recycling program that it establishes:

"Collector" means a person who receives covered electronic devices from consumers and arranges for the delivery of the covered electronic devices to a recycler (R.C. 3734.92(A)).

"Computer" means a desktop personal computer, laptop computer, computer monitor, or printer. "Computer" does not include either of the following:

- (1) A personal digital assistant device or mobile telephone; or
- (2) A computer peripheral device, including a mouse or other similar pointing device or a detachable or wireless keyboard. (R.C. 3734.92(B).)

"Consumer" means a person who purchases a covered electronic device primarily for personal or small business purposes in Ohio (R.C. 3734.92(D)).

"Covered computer" means a computer that was or will be used primarily for personal or small business purposes in Ohio. "Covered computer" does not include a device that is functionally or physically a part of, connected to, or integrated within a larger piece of equipment or system that is designed and intended for use in an industrial, governmental, commercial, research and development, or medical setting, including, but not limited to, diagnostic, monitoring, or control products, medical products approved under the Federal Food, Drug, and Cosmetic Act, equipment used for security, sensing, monitoring, antiterrorism, or emergency services purposes, or equipment designed and intended primarily for use by professional users. (R.C. 3734.92(E).)

"Covered electronic device" means a covered computer or covered video display device (R.C. 3734.92(F)).

"Covered electronic device take-back program" means a computer take-back program or a video display device take-back program (R.C. 3734.92(G)).

"Covered video display device" means a video display device that was or will be used primarily for personal or small business purposes in Ohio. "Covered video display device" does not include any of the following:

- (1) A video display device that is a part of a motor vehicle or any component part of a motor vehicle that is assembled by or for a vehicle manufacturer or a franchisee of a vehicle manufacturer, including replacement parts for use in a motor vehicle;
- (2) A video display device that is contained within a clothes washer, clothes dryer, refrigerator, refrigerator and freezer, microwave oven, conventional oven or

range, dishwasher, room air conditioner, dehumidifier, air purifier, or other household appliance; or

(3) A video display device that is functionally or physically a part of, connected to, or integrated within a larger piece of equipment or system that is designed and intended for use in an industrial, governmental, commercial, research and development, or medical setting, including, but not limited to, diagnostic, monitoring, or control products, medical products approved under the Federal Food, Drug, and Cosmetic Act, equipment used for security, sensing, monitoring, antiterrorism, or emergency services purposes, or equipment designed and intended primarily for use by professional users. (R.C. 3734.92(H).)

"Manufacturer" means any of the following:

(1) A person who owns a brand with which a covered computer is labeled if the person sold more than 50 covered computers in the calendar year of the bill's effective date or a subsequent calendar year;

(2) A person who owns or who is licensed to use a brand with which a covered video display device is labeled if the person sold more than 50 covered video display devices in a calendar year;

(3) A person who imports into the United States a covered electronic device if the person who owns the brand does not do business in the United States, provided that the person who imports the covered electronic device sold or imported more than 50 covered computers in the calendar year of the bill's effective date or in a subsequent calendar year or sold or imported more than 50 covered video display devices in a calendar year; or

(4) A person who contractually assumes the responsibilities and obligations described in items (1) through (3) above. (R.C. 3734.92(I).)

"Printer" means a device that prints using a print technology such as laser, electrographic, ink jet, dot matrix, thermal, or digital sublimation and that is designed to be placed on a desk or other work surface. "Printer" includes a multifunction or all-in-one device that in addition to printing may perform copying, scanning, faxing, or a combination of part or all of those functions. "Printer" does not include a floor-standing device that prints or a device that prints that has an optional floor stand, a point of sale receipt printer, a calculator with printing capabilities, a label maker, or a device that prints that is embedded within a product that is not a covered computer. (R.C. 3734.92(J).)

"Recycler" means a person who as a principal component of business operations acquires covered electronic devices and sorts and processes the covered electronic devices in order to facilitate recycling or resource recovery techniques. "Recycler" does not include a collector, hauler, or electronics shop. (R.C. 3734.92(K).)

"Retailer" means a person who sells a covered electronic device to a consumer at a sales outlet, by mail order, via the internet, or by any other means regardless of whether the person has a physical presence in Ohio (R.C. 3734.92(L)).

"Small business" means a business that has ten or fewer employees (R.C. 3734.92(M)).

"Video display device" means an electronic device with a viewable screen size that is greater than four inches measured diagonally, that contains a tuner, and that is capable of receiving and displaying television or video programming via a broadcast, cable, or satellite. "Video display device" includes, but is not limited to, a direct view or projection television in which the display technology is a cathode ray tube, plasma, liquid crystal display, digital light processing, liquid crystal on silicon, silicon crystal reflective display, light emitting diode, or similar technology. (R.C. 3734.92(N).)

## Registration of manufacturers

The bill requires a manufacturer who sells or offers for sale in Ohio new covered electronic devices, not later than 30 days after the end of Ohio's fiscal year, to register with the Director of Environmental Protection on a form prescribed and provided by the Director. The registration form must require a manufacturer to provide all of the following:

- (1) The name, address, and telephone number of the manufacturer;
- (2) Each brand name under which the manufacturer sells or offers for sale covered electronic devices in Ohio; and
- (3) Information concerning the manufacturer's covered electronic device take-back program (see "**Computer take-back programs**" and "**Video display device take-back programs**," below) that includes the following:
  - (a) Information that is provided to consumers that describes how and where to return covered electronic devices that are labeled with the manufacturer's name or brand label and a detailed statement that describes the means by which the information is provided to consumers, including any web site addresses that may be used; and
  - (b) Beginning with the submission of the first registration after the implementation of a covered electronic device take-back program, a report that

describes the implementation of that program during the preceding fiscal year. The report must include the total weight of the covered electronic devices received under the take-back program from consumers during the preceding fiscal year, the processes and methods used to recycle or reuse the covered electronic devices that are received from consumers, and the identity of all collectors or recyclers with whom the manufacturer has entered into an agreement for the collection or recycling of covered electronic devices received from consumers. The identity of a recycler must include the addresses of each of the recycler's recycling facilities that are located in Ohio, if applicable. Information that is related to the identity of all collectors or recyclers is not subject to the Public Records Law unless required by a court order. (R.C. 3734.921(A) and (E).)

A registration is effective on receipt by the Director, provided that the registration is complete and includes the required registration fee (see below). If a manufacturer's registration does not satisfy the requirements of the bill, the Director must notify the manufacturer of the deficiency. If the manufacturer fails to correct a deficiency within 60 days after notice of the deficiency is sent, the Director may deny or revoke the manufacturer's registration. (R.C. 3734.921(C).)

The Director must maintain on the Environmental Protection Agency's web site a list of registered manufacturers of covered computers and a list of registered manufacturers of covered video display devices together with the web site addresses at which each manufacturer provides information regarding recycling covered electronic devices, if any (R.C. 3734.921(D)).

### **Registration fee**

Until October 1, 2016, a manufacturer must include with a registration an annual fee of \$5,000. However, if the balance of the Electronic Waste Recycling Fund created by the bill (see "**Electronic Waste Recycling Fund**," below) is greater than \$1 million on December 31 of any year, the Director must not collect the annual fee for the subsequent fiscal year. The Director must transmit the money from the fees to the Treasurer of State who must deposit the money in the state treasury to the credit of the Electronic Waste Recycling Fund. (R.C. 3734.921(B).) Not later than October 1, 2011, and every two years after that date, the Director must submit a report to the Speaker of the House of Representatives and the President of the Senate that provides an assessment of the adequacy of the fee and recommendations, if any, to modify the amount of the fee (R.C. 3734.921(F)).

## **Prohibited activities**

Under the bill, beginning April 1, 2011, a manufacturer must not sell or offer for sale at a sales outlet, by mail order, via the internet, or by any other means in Ohio a new covered electronic device unless all of the following are satisfied:

(1) The covered electronic device is labeled with the manufacturer's name or a brand label that is owned by or that is licensed for use by the manufacturer;

(2) The manufacturer's name is on the applicable registration list that is maintained by the Director of Environmental Protection;

(3) If the covered electronic device is a covered computer, the manufacturer has established a computer take-back program (see below); and

(4) If the covered electronic device is a covered video display device, the manufacturer has established a video display device take-back program (see below). (R.C. 3734.922(A).)

A retailer must not sell or offer for sale in Ohio a new covered electronic device that is purchased by the retailer from a manufacturer of the new covered electronic device on or after April 1, 2011, unless the manufacturer is on the applicable registration list that is maintained by the Director as required by the bill (R.C. 3734.922(B)).

## **Computer take-back programs**

The bill requires a manufacturer of a covered computer, beginning April 1, 2011, to establish a computer, take-back program that satisfies all of the following:

(1) Through March 31, 2013, the manufacturer of a covered computer or the manufacturer's designee accepts from a consumer any type or brand of covered computer that has reached the end of its useful life for the consumer. After March 31, 2013, the manufacturer or the manufacturer's designee accepts from a consumer the manufacturer's covered computer that has reached the end of its useful life for the consumer. However, a manufacturer is not required to accept more than seven covered computers from a single consumer on a single day. The bill provides that the above provisions must not be construed in a manner that impairs the obligation of a contract under which a person agrees to conduct a computer take-back program on behalf of a manufacturer. (R.C. 3734.923(A)(1).)

(2) The manufacturer or the manufacturer's designee does not charge a fee when a consumer returns a covered computer to the manufacturer. However, a manufacturer or a manufacturer's designee may offer to charge a fee when a consumer returns a covered computer to the manufacturer if in exchange for the fee the manufacturer or the



manufacturer's designee provides goods or services in an amount equal to or greater than the amount of the fee that will be charged and the consumer has the option to accept or reject the offer. If the consumer accepts the offer, the manufacturer or the manufacturer's designee may charge the fee and provide to the consumer goods or services in an amount equal to or greater than the amount of the fee charged. However, if the consumer rejects the offer, the manufacturer or manufacturer's designee must accept the return of the covered computer free of charge. The above provisions do not apply to data sanitization services that are provided as discussed in item (5) below. (R.C. 3734.923(A)(2).)

(3) The collection of a covered computer is reasonably convenient for, available to, and designed to meet the needs of consumers in Ohio. Collection methods that alone or in combination satisfy that provision include methods for a consumer to return a covered computer by mail or common carrier, deposit at a local physical collection site that is open and staffed on a continuing basis, deposit at a periodic local collection event, or deposit at a retailer. (R.C. 3734.923(A)(3).)

(4) The manufacturer of a covered computer provides to consumers information on how and where to return a covered computer, including, but not limited to, information on the manufacturer's web site concerning the collection, recycling, and reuse of a covered computer. The manufacturer also may include information concerning the collection, recycling, and reuse of a covered computer via a toll-free telephone number or in the packaging for or with other materials that accompany the manufacturer's covered computers when the covered computers are sold. (R.C. 3734.923(A)(4).)

(5) The manufacturer of a covered computer provides to consumers information on how to effectively destroy or sanitize the data on the computer's hard drive and other memory storage devices associated with the covered computer prior to delivery of the covered computer to a computer take-back program. The information must consist of standard data destruction or sanitization techniques of the computer industry, including, but not limited to, the use of free or low-cost data sanitization software available on the internet and the physical destruction of a hard drive and other memory storage devices for those purposes. As a part of a computer take-back program, a manufacturer may provide data destruction or sanitization services to a consumer for a fee not to exceed \$5 per hard drive or other memory storage device. (R.C. 3734.923(A)(5).)

(6) The manufacturer recycles or arranges for the recycling of the covered computers that are collected in accordance with the bill (R.C. 3734.923(A)(6)).

For purposes of items (1) and (6) above, a manufacturer may arrange for the collection and recycling of covered computers by another person. Further, the bill authorizes a manufacturer to implement a covered computer take-back program in conjunction with other manufacturers. (R.C. 3734.923(B) and (C).)

### **Video display device take-back programs**

Beginning April 1, 2011, a manufacturer of a covered video display device must establish a video display device take-back program that satisfies all of the following:

(1) The manufacturer of a covered video display device or the manufacturer's designee accepts from a consumer any covered video display device that has reached the end of its useful life for the consumer regardless of the type or brand. However, a manufacturer is not required to accept more than seven covered video display devices from a single consumer on a single day. (R.C. 3734.924(A)(1).)

(2) The manufacturer or the manufacturer's designee does not charge a fee when a consumer returns any covered video display device to the manufacturer. However, a manufacturer or a manufacturer's designee may offer to charge a fee when a consumer returns a covered video display device to the manufacturer if in exchange for the fee the manufacturer or the manufacturer's designee provides goods or services in an amount equal to or greater than the amount of the fee that will be charged and the consumer has the option to accept or reject the offer. If the consumer accepts the offer, the manufacturer or the manufacturer's designee may charge the fee and provide to the consumer goods or services in an amount equal to or greater than the amount of the fee charged. However, if the consumer rejects the offer, the manufacturer or manufacturer's designee must accept the return of the covered video display device free of charge. (R.C. 3734.924(A)(2).)

(3) The collection of a covered video display device is reasonably convenient for, available to, and designed to meet the needs of consumers in Ohio. Collection methods that alone or in combination satisfy that requirement include methods for a consumer to return a covered video display device by mail or common carrier, deposit at a local physical collection site that is open and staffed on a continuing basis, deposit at a periodic local collection event, or deposit at a retailer. (R.C. 3734.924(A)(3).)

(4) The manufacturer of a covered video display device provides to consumers information on how and where to return a covered video display device, including, but not limited to, information on the manufacturer's web site concerning the collection, recycling, and reuse of a covered video display device. The manufacturer also may include information concerning the collection, recycling, and reuse of a covered video display device via a toll-free telephone number or in the packaging for or with other

materials that accompany the manufacturer's covered video display devices when the covered video display devices are sold. (R.C. 3734.924(A)(4).)

(5) The manufacturer recycles or arranges for the recycling of the covered video display devices that are collected in accordance with the bill. As a nonbinding goal, a manufacturer who is required to conduct a video display device take-back program must recycle annually 60% of the total weight of covered video display devices sold by the manufacturer in Ohio during the previous state fiscal year. Information that is compiled for the above purposes is not subject to the Public Records Law unless required by a court order. (R.C. 3734.924(A)(5).)

For purposes of items (1) and (5) above, a manufacturer may arrange for the collection and recycling of covered video display devices by another person. A manufacturer also may implement a covered video display device take-back program in conjunction with other manufacturers. (R.C. 3734.924(B) and (C).)

### **Registration of recyclers**

Under the bill, not later than 30 days after the end of the state's fiscal year, a recycler who operates in Ohio must register with the Director of Environmental Protection on a form prescribed and provided by the Director. The registration form must require a recycler to provide all of the following:

(1) The name, address, telephone number, and, if applicable, e-mail address of the recycler;

(2) An identification of each location where the recycler accepts or processes covered electronic devices;

(3) The types of covered electronic devices accepted at each location where the recycler accepts or processes covered electronic devices;

(4) The name of each manufacturer, if any, from which the recycler receives covered electronic devices as part of a covered electronic device take-back program;

(5) The total weight of covered electronic devices received for processing during the preceding fiscal year;

(6) The name of each nationally recognized electronic recycling certification held by the recycler; and

(7) A certification that the recycler will comply with all applicable state and federal laws and rules adopted under them governing the storage, transportation, processing, and exportation of a covered electronic device. (R.C. 3734.925(A).)

A registration is effective on receipt by the Director, provided that the registration is complete and includes the fee required by the bill (see below). If a recycler's registration does not satisfy the bill's requirements, the Director must notify the recycler of the deficiency. If the recycler fails to correct a deficiency within 60 days after notice of the deficiency is sent, the Director may deny or revoke the recycler's registration. (R.C. 3734.925(C).)

A recycler operating in Ohio must do all of the following:

(1) Comply with all applicable state and federal laws and rules adopted under them governing the storage, transportation, processing, and exportation of a covered electronic device;

(2) Use procedures accepted by the computer industry for the destruction or sanitization of data on a hard drive or other memory storage device;

(3) Advise a person who delivers a covered computer to the recycler that the person may destroy or sanitize the data on the computer's hard drive and other memory storage devices associated with the covered computer or that the person may pay the recycler a fee not to exceed \$5 per hard drive or other memory storage device for such destruction or sanitization;

(4) Maintain for a minimum of three years records that identify the type and quantity of covered electronic devices received and identify the type, quantity, and destination of covered electronic devices that are transferred to a different location; and

(5) Make available for review records that are required under the bill when requested by the Director for purposes of determining the recycler's compliance with applicable state and federal laws and rules adopted under them. (R.C. 3734.925(D).)

### **Registration fee**

Until October 1, 2016, a recycler must include with a registration an annual fee of \$300. The Director must transmit the money collected from the fees to the Treasurer of State who must deposit the money in the state treasury to the credit of the Electronic Waste Recycling Fund created by the bill (see below). (R.C. 3734.925(B).)

### **Electronic Waste Recycling Fund**

The bill creates the Electronic Waste Recycling Fund in the state treasury consisting of all fees collected under the bill. Investment earnings of the Fund must be credited to the Fund. Money in the Fund must be used by the Director to administer and enforce the bill. (R.C. 3734.926.)

## **Application of existing enforcement procedures and penalties to the bill**

Under the Solid, Hazardous, and Infectious Waste Law, the Director of Environmental Protection is authorized to issue enforcement orders with respect to violations of that Law. A court may impose on general violations of the Law a civil penalty of \$10,000 for each day of violation. In addition, a reckless violation of that Law is a felony, and an offender may be fined at least \$10,000, but not more than \$25,000, or imprisoned for at least two years, but not more than four years, or both. (R.C. 3734.13 and 3734.99, not in the bill.) Because the Revised Code sections that comprise the bill are placed in that Law, the general enforcement procedures and penalties described above apply to the bill's provisions.

## **Electronic Waste Advisory Council**

The bill creates the Electronic Waste Advisory Council consisting of the following members:

- (1) The Director of Environmental Protection or the Director's designee;
- (2) One member appointed by the Governor who represents a statewide conservation organization;
- (2) Four members appointed by the President of the Senate as follows:
  - (a) One member representing manufacturers of covered video display devices;
  - (b) One member representing recyclers of covered computers or covered video display devices;
  - (c) One member representing an association of computer manufacturers and video display device manufacturers; and
  - (d) One member who is a member of the Senate.
- (3) Four members appointed by the Speaker of the House of Representatives as follows:
  - (a) One member representing manufacturers of covered computers;
  - (b) One member representing retailers of covered computers or covered video display devices;
  - (c) One member representing a single county solid waste management district; and

(d) One member who is a member of the House of Representatives. (R.C. 3734.927(A).)

Appointments to the Council must be made not later than 30 days after the effective date of the bill. If a vacancy occurs on the Council, the vacancy must be filled in the same manner as the original appointment. A member of the Council may be removed by the person who appointed the member for malfeasance, misfeasance, nonfeasance, or any other good cause. The Council members who are members of the Senate and of the House of Representatives must serve as co-chairpersons. The Council must elect from its members any other officers that it considers necessary or appropriate. A majority of the members of the Council constitutes a quorum for any matter that is before the Council. The co-chairpersons must call the first meeting of the Council. The Council then must meet at least quarterly or more often at the call of the co-chairpersons or if requested by two or more members of the Council. Members of the Council must serve without compensation. The bill states that serving as a member of the Council does not constitute holding a public office or position of employment under the laws of Ohio and does not constitute grounds for removal of public officers or employees from their offices or positions of employment. (R.C. 3734.927(B).)

### **Duties of the Council**

The Council must prepare a report that evaluates computer take-back programs and video display device take-back programs and must make recommendations to improve the recycling of covered electronic devices. In addition, the report must evaluate and make recommendations concerning all of the following:

(1) Whether a manufacturer's market share should be used to determine the amount of video display devices that a manufacturer is required to recycle annually;

(2) Whether a manufacturer that is implementing a take-back program and recycles electronic waste in an amount greater than an applicable amount that is provided for in the bill (see above) should be granted credits, and, if credits should be granted, a determination of the lifespan of a credit, a determination of the transferability of a credit, and a description of how a credit system will operate;

(3) Whether the nonbinding annual recycling goal that is established by the bill for manufacturers of covered video display devices (see above) should be changed and whether such a goal should be mandatory;

(4) The items that should be included in a mandatory take-back program, and, if new items are recommended, the recycling rates or amounts for each of the new items;

(5) Whether and how a manufacturer should be fined or sanctioned for a violation of the bill;<sup>1</sup>

(6) Whether the funding for the administration of the bill is appropriate;

(7) Whether a program should be established to recognize a manufacturer that implements a recycling program that recycles products in addition to covered electronic devices that are required to be recycled under the bill or that recycles covered electronic devices in an amount greater than an amount that is established in the bill;

(8) Whether a system should be developed to collect covered electronic devices that otherwise are not collected by a manufacturer;

(9) Whether recycling data, such as the amount of covered electronic devices collected by collectors, the identification of the type and quantity of covered electronic devices received, and the type, quantity, and destination of covered electronic devices that are transferred to a different location, should be maintained;

(10) Whether a grant program should be established to expand recycling and recovery programs for covered electronic devices and to provide consumer education for such recycling and recovery programs; and

(11) Whether a ban on the disposal of covered electronic devices in solid waste landfills in Ohio is appropriate. (R.C. 3734.927(C).)

Not later than April 1, 2013, the Council must submit the report to the Governor, the President of the Senate, and the Speaker of the House of Representatives (R.C. 3734.927(D)). The bill terminates the Council on July 1, 2013 (Section 2).

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## HISTORY

ACTION	DATE
Introduced	02-09-10

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<sup>1</sup> It is not clear how this provision coordinates with the enforcement provisions discussed above.