

## ACT 189

S.B. NO. 1049

A Bill for an Act Relating to Electronic Waste Recycling.

*Be It Enacted by the Legislature of the State of Hawaii:*

SECTION 1. Section 339D-4, Hawaii Revised Statutes, is amended by amending subsection (c) to read as follows:

“(c) By June 1, 2009, and annually thereafter, each electronic device manufacturer shall submit a plan to the department to establish, conduct, and manage a program for the collection, transportation, and recycling of its covered electronic devices sold in the State, which shall be subject to the following conditions:

- (1) The plan shall not permit the charging of a fee at the point of recycling if the covered electronic device is brought by the covered electronic device owner to a central location for recycling; provided that the plan may include a reasonable transportation fee if the electronic device manufacturer or electronic device manufacturer’s agent removes the covered electronic device from the owner’s premises at the owner’s request and if the removal is not in conjunction with delivery of a new electronic device to the owner; ~~and~~
- (2) Any plan that exclusively provides a mail-back option for the collection, transportation, and recycling of an electronic device manufacturer’s covered electronic devices sold in the State, shall not be approved by the department;
- (3) An electronic device manufacturer of exclusively mobile covered electronic devices whose products are voluntarily accepted at no charge by at least fifty retail locations in the State may submit a recycling plan to the department that documents these locations to satisfy the requirements of this subsection; and

~~(2)~~ (4) Each electronic device manufacturer may develop its own recycling program or may collaborate with other electronic device manufacturers, so long as the program is implemented and fully operational no later than January 1, 2010.”

SECTION 2. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 3. This Act shall take effect on January 1, 2016.

(Approved July 1, 2015.)