

# SENATE BILL REPORT

## SB 5824

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As of February 18, 2011

**Title:** An act relating to market share in electronic waste.

**Brief Description:** Concerning market share in electronic waste.

**Sponsors:** Senator Pridemore.

**Brief History:**

**Committee Activity:** Environment, Water & Energy: 2/18/11.

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### SENATE COMMITTEE ON ENVIRONMENT, WATER & ENERGY

**Staff:** Sam Thompson (786-7413)

**Background:** A 2005 act established a product stewardship requirement for manufacturers of certain covered electronic products (CEPs) sold in Washington, including most computer monitors, desktop computers, laptop or portable computers, and TVs. CEP manufacturers must participate in a manufacturer-implemented and financed system for collecting and recycling discarded CEPs.

The Washington Materials Management and Financing Authority (Authority), which includes CEP manufacturers participating in a standard plan implementing the system, has established CEP collection centers and a recycling scheme. The Authority is governed by an 11-member board of directors appointed by the director of the Department of Ecology (Ecology). Five board positions are reserved for representatives of the top 10 brand owners by return share and six positions are reserved for representatives of other brands.

Each participating manufacturer provides financing based upon their return share of CEPs, i.e. their apportioned share of the total amount of discarded CEPs collected in Washington by weight, as determined by Ecology. Costs of collecting and recycling orphan products – CEPs that lack a manufacturer's brand, or for which Ecology cannot identify the owner of the brand, or for which the manufacturer is no longer in business and has no successor in interest – are distributed proportionally among all manufacturers.

**Summary of Bill:** The bill as referred to committee not considered.

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**Summary of Bill (Proposed Substitute):** Additional electronic products are designated as CEPs subject to manufacturer product stewardship requirements beginning in 2013. The additional products are digital picture frames, notebooks, netbooks, tablets, e-book readers, and peripherals. Peripherals include devices sold for use with a computer or TV, such as printers and certain servers.

Financing will be based upon a manufacturer's apportioned share of sales (i.e., market share) of CEPs by weight, as determined by Ecology using a calculation involving consideration of in-state or nationwide sales, rather than return share. The new financing method will take effect in 2013.

Beginning in 2013 five Authority board positions are reserved for representatives of the top 10 brand owners by market share and six positions are reserved for representatives of other brands.

**Appropriation:** None.

**Fiscal Note:** Requested on February 18, 2011.

**Committee/Commission/Task Force Created:** No.

**Effective Date:** The bill takes effect on January 1, 2012.