



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

HB3098

Introduced 2/18/2025, by Rep. Kevin John Olickal

SYNOPSIS AS INTRODUCED:

415 ILCS 151/1-5
415 ILCS 151/1-10
415 ILCS 151/1-15
415 ILCS 151/1-25
415 ILCS 151/1-30
415 ILCS 151/1-33
415 ILCS 151/1-35
415 ILCS 151/1-40
415 ILCS 151/1-45
415 ILCS 151/1-84.5
415 ILCS 151/1-85
415 ILCS 151/1-86
415 ILCS 151/1-91 new
415 ILCS 151/1-90 rep.

Amends the Consumer Electronics Recycling Act. Adds and changes definitions. Changes references to residential covered electronic devices (CEDs) to references to CEDs from covered entities. Adds a nonprofit organization or recycler to certain provisions regarding the use of a retail or private network (rather than only retail) collection site with the agreement of the applicable retailer under certain local agreements. Changes references to retail collection sites to references to retail or private network collection sites. Adds to requirements for certain agreements, including those to be reduced to writing and included in the manufacturer e-waste program plan. Adds to requirements for the manufacturer e-waste program plan. Adds conditions in certain provisions regarding the applicable county, municipal joint action agency, or municipality. Adds certain waivers for charges for shortfalls in provisions regarding collection of CEDs. Adds requirements for the Advisory Electronics Task Force to submit certain information to the Environmental Protection Agency, as well as to communicate regarding certain updates and certain feedback. Adds provisions regarding education and consumer awareness requirements. Deletes an automatic repeal provision.

LRB104 09345 BDA 19403 b

A BILL FOR

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, and 1-86 and by adding
7 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9 (Section scheduled to be repealed on December 31, 2026)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 residential consumers in the
24 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 sold or offered for sale in
4 the State; 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 151/1-91 new)

15 Sec. 1-91. Education and consumer awareness requirements.
16 A manufacturer clearinghouse must carry out education and
17 consumer awareness activities in support of plan
18 implementation including, but not limited to:

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

21 (2) the development and posting on the program website
22 of educational materials that provide consumers with
23 awareness of the program and the restriction on the
24 disposal of CEDS in Section 1-83, with educational

1 materials provided in digital or printable formats
2 suitable for distribution at retailers, at collection
3 sites, on websites, on social media, or through other
4 relevant platforms that are accessible for use by persons
5 including, but not limited to, manufacturers, retailers,
6 government agencies, waste and recycling collectors, and
7 nonprofit organizations;

8 (3) the posting on the program website of all program
9 collection sites, one-day collection events, retail
10 collection sites, and private network collection sites,
11 including the county served by each, for each program year
12 as specified in the e-waste program plan required in
13 Section 1-25; and

14 (4) the posting on the program website of the annual
15 program report required in Section 1-10(b)(4) following
16 submittal of the report to the Agency.

17 (415 ILCS 151/1-90 rep.)

18 Section 10. The Consumer Electronics Recycling Act is
19 amended by repealing Section 1-90.