

Subject Electronic Waste Recycling

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Date March 5, 2024

Overview

House File 3566, as amended by the H3566DE2 amendment, amends the existing program funded and operated by manufacturers to collect and recycle computer-related devices and televisions and establishes a new program to collect and recycle all other products that use, store, or generate electricity.

Summary

Section	Description
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| 1 | <p>[115A.1310] Definitions. Defines terms, including:</p> <ul style="list-style-type: none">▪ “clearinghouse” means an organization under contract to the Pollution Control Agency to finance and operate a plan to collect and recycle covered electronic devices;▪ “covered electronic device” means a computer, monitor, peripheral, fax machine, gaming console, or television; and▪ “electronics recyclables” means products that are powered by, generate, store, or conduct electricity, excluding a covered electronic device, solar panels, electric vehicles, major appliances, and other specified equipment. |
| 2 | <p>[115A.1311] Covered electronic device recycling; required plan.</p> <p>Prohibits, after January 1, 2027, a manufacturer from selling a covered electronic device (CED) in this state unless the manufacturer operates under a plan approved by the PCA to collect and recycle CEDs from households and businesses with fewer than ten employees. The retail sale of such a device from a manufacturer not participating in an approved plan is also prohibited as of that date.</p> <p>Specifies the required content of a CED collection and recycling plan. Plans must be resubmitted every five years.</p> |

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3	<p>[115A.1312] Registration program.</p> <p>Requires manufacturers of CEDs to register annually with the PCA, as must collectors and recyclers of CEDs or electronics recyclables (ERs).</p>
4	<p>[115A.1314] Manufacturer fees.</p> <p>Requires manufacturers of CEDs to pay an annual registration fee to the PCA based on the manufacturer's market share of CEDs sold in Minnesota. Strikes current fee calculation language. The registration fee is reduced by five to 15 percent based on the rating of the manufacturer's products by the Global Electronics Council with respect to certain environmental and social criteria. Registration fees may be used only to reimburse the agency's costs to administer and enforce the program and the costs of the Department of Administration under section 115A.1324.</p> <p>Manufacturers must also pay a quarterly operations fee to the agency that is calculated by multiplying the manufacturer's market share of CEDs by total collection and recycling costs in the previous quarter. The operations fees may be used only to make payments to the clearinghouse which uses them to reimburse collectors, transporters, and recyclers for program activities.</p>
5	<p>[115A.1318] Responsibilities; prohibition.</p> <p>Specifies the responsibilities of program participants.</p> <p>A manufacturer of CEDs is responsible for all financial aspects of program operations; for ensuring due diligence with respect to collectors and recyclers; and for reporting to the agency on program activities.</p> <p>Collectors must certify compliance with an approved plan, accept any CED, and report quarterly to the clearinghouse the total weight of CEDs collected during the previous quarter.</p> <p>The clearinghouse must ensure that all plan participants are registered with the agency; coordinate all collection, transportation, and recycling activities to ensure efficiency; manage invoices received from collectors, transporters, and recyclers; and distribute operations fees to them as reimbursement for activities conducted under the plan.</p> <p>Recyclers must certify compliance with an approved plan, report quarterly to the clearinghouse the total weight of CEDs collected during the previous quarter, possess liability insurance of at least \$5 million, and refrain from charging collectors for any materials or services related to transporting or recycling CEDs.</p>

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	Retailers must determine that manufacturers are registered before offering the manufacturer's CEDs for sale, and must provide customers with information on how to recycle CEDs.
	Prohibits a collector from being charged for services connected with activities under a plan.
6	[115A.1319] Transition to new program. Establishes a transition year beginning July 1, 2025, and ending December 31, 2026, during which a onetime advance operations fee is charged to manufacturers.
7	[115A.1320] Agency duties. Requires the agency to review and approve a stakeholder plan and ensure that manufacturers submit required fees in full. Strikes language regarding recycling goals and data reporting under current law.
8	[115A.1321] Covered electronic device waste collection and recycling account. Establishes an account managed by the PCA into which manufacturer fees are deposited and from which money is disbursed to the clearinghouse to reimburse collectors and recyclers and to reimburse the agency for its administrative and enforcement costs.
9	[115A.1322] Other recycling programs. Strikes language regarding manufacturers' recycling obligations under the current program.
10	[15A.1324] Requirements for purchases by state agencies. Strikes obsolete terms and inserts new terms.
11	[115A.1326] Regulating covered electronic devices. Strikes obsolete terms and inserts new terms.
12	[115A.1330] Limitations. Strikes obsolete terms and inserts new terms.
13	[115A.1331] Definitions.
14	[115A.1332] Collector and recycler registration. Requires collectors and recyclers of electronics recyclables (ERs) to register with the agency under section 115A.1312.

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15	<p>[115A.1335] Recycling fee.</p> <p>Places a recycling fee on retailers of ERs beginning January 1, 2025, of 3.2 percent of the retail price of the item, except for cell phones, on which a fee of \$0.90 is assessed on each unit sold.</p>
16	<p>[115A.1336] Electronic waste recycling account.</p> <p>Establishes the electronic waste recycling account, managed by the commissioner, from which costs incurred by collectors and the agency are reimbursed. Specifies that \$1 million annually through fiscal year 2028 is to be allocated from the account to the grant program established under section 115A.1342. Caps the account's financial reserve at 75 percent of the agency's annual implementation costs.</p>
17	<p>[115A.1337] Disposition of recycling fees.</p> <p>Requires the commissioner to review quarterly invoices from collectors documenting collection, transportation, and recycling costs. The commissioner reimburses collectors for reasonable costs incurred, plus \$0.90 per pound of ERs recycled. Reimbursements must come solely from the proceeds of the recycling fee under section 115A.1335.</p>
18	<p>[115A.1338] Responsibilities.</p> <p>Specifies the responsibilities of collectors, recyclers, retailers, and the agency under the program. A collector may refuse to accept a specific type of ER. The commissioner must review the recycling fee annually, and may adjust it based on a list of specified factors.</p>
19	<p>[115A.1339] Reporting.</p> <p>Requires the agency to report to the legislature annually on program activities and finances.</p>
20	<p>[115A.1340] Other recycling programs.</p> <p>Prohibits a public agency from requiring public facilities to recycle ERs.</p>
21	<p>[115A.1341] Electronics Recyclables Advisory Committee.</p> <p>Requires the commissioner to establish and appoint an Electronics Recyclables Advisory Committee composed of 11 members representing specified stakeholders. The committee advises the commissioner on modifications to the program.</p>
22	<p>[115A.1342] Electronics recycler air quality improvement grant program.</p> <p>Establishes a grant program in the agency to award grants to recyclers operating under the program to pay up to 90 percent of the cost of equipment to improve indoor air quality in facilities operating a shredder or smelter, improve outdoor air</p>

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	quality of smelter operations, or to purchase forklifts operating on electricity rather than fossil fuels. The grant program expires June 30, 2028.
23	Electronics recycling study. Requires the commissioner to contract with an independent party to conduct a study examining barriers to electronics recycling and ways to overcome them.
24	Repealer. Repeals Minnesota Statutes 2022, section 115A.1316, subdivisions 1, 2, and 3, reporting requirements under the current CED collection program, the elements of which are made obsolete under this bill.



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