

Subject Recycling Boat Wrap

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## Overview

House File 3320, as amended by H3320DE2, establishes a program financed and operated by producers of boat wrap through a product stewardship organization to collect and recycle boat wrap sold in this state.

## Summary

Section Description

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- 1 **[115A.1416] Boat wrap product stewardship program.**
  - Subd. 1. Definitions.** Defines terms.
  - Subd. 2. Product stewardship program.** Requires a producer selling boat wrap in this state to participate in a stewardship organization that finances and implements a statewide program to collect and recycle used boat wrap.
  - Subd. 3. Participation required to sell.** Prohibits after July 1, 2025, a producer, wholesaler, or retailer from offering boat wrap for sale in this state unless the producer participates in a product stewardship plan approved by the agency.
  - Subd. 4. Stewardship plan required.** By March 1, 2025, and before first offering boat wrap for sale in this state, a producer must submit evidence to the agency that the producer is an active participant in a product stewardship plan approved by the agency.
  - Subd. 5. Plan content.** Lists the elements an approved stewardship plan must contain.
  - Subd. 6. Consultation required.** Requires a producer or stewardship organization to consult with boat owners, owners of marinas, and other stakeholders before developing a stewardship plan.

**Section**   **Description**

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**Subd. 7. Agency review and approval.** Requires the agency to review or reject a plan within 90 days of receipt. If rejected, a revised plan must be submitted within 60 days. Plans must be updated every five years.

**Subd. 8. Plan availability.** The agency must post a draft stewardship plan on the agency website at least 30 days prior to its decision regarding acceptance of the plan. Approved plans must also be posted.

**Subd. 9. Conduct authorized.** Exempts a stewardship organization operating under an approved plan from state laws on antitrust, restraint of trade, etc., only to the extent necessary to implement the plan.

**Subd. 10. Stewardship organization responsibilities.** Requires the stewardship organization to provide boat wrap purchasers with educational materials regarding the program.

**Subd. 11. Retailer responsibilities.** Requires retailers to review the list of compliant producers on the agency's website (see subd. 12) to determine whether the producer's boat wrap may be legally sold in this state.

**Subd. 12. Agency responsibilities.** Requires the agency to maintain a list of compliant producers on the agency's website, and to establish annual performance goals under the plan regarding the amount of boat wrap to be collected and recycled. By the end of program year five, at least 50 percent of boat wrap sold in this state must be recycled, and by the end of program year ten, no less than 80 percent must be recycled.

**Subd. 13. Administrative fee.** Requires the stewardship organization to pay an annual fee to the agency, established by the agency to reimburse it for costs incurred in administering and enforcing the program.

**Subd. 14. User fees prohibited.** Prohibits a stewardship organization or retailer from charging a fee to a person for boat wrap collection and recycling activities.

**Subd. 15. Account established.** Establishes the boat wrap stewardship account in the special revenue fund, and appropriates money from the fund to the commissioner.

**Subd. 16. Stewardship reports.** Requires the stewardship organization to submit reports to the agency annually, beginning March 1, 2026, describing program activities, assessing compliance with performance goals, and containing a financial audit of stewardship activities.

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**Subd. 17. Data classification.** Specifies that trade secret and sales information are private and nonpublic under section 13.37.



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