

ASSEMBLY BILL

No. 729

Introduced by Assembly Member Mullin

February 22, 2007

An act to add Section 42475.5 to the Public Resources Code, relating to recycling.

LEGISLATIVE COUNSEL'S DIGEST

AB 729, as introduced, Mullin. Recycling: e-waste.

The Electronic Waste Recycling Act of 2003 requires a retailer selling a covered electronic device in this state to collect a covered electronic waste recycling fee from the consumer, as specified. The fees are deposited in the Electronic Waste Recovery and Recycling Account, and the California Integrated Waste Management Board and the Department of Toxic Substances Control are continuously appropriated the money in the account to make electronic waste recovery payments and recycling payments to cover the net cost of an authorized collector in operating a free and convenient system for collecting, consolidating, and transporting covered electronic wastes, and to make electronic waste recycling payments to cover an e-waste recycler's net cost of receiving, processing, and recycling covered electronic waste.

This bill would require the board to adopt regulations for the proper and legal donation of covered electronic devices intended for reuse by a nonprofit organization, including, but not limited to, the development of a form that may be used by an authorized collector when a covered electronic device is transferred by a person or company for refurbishing or reuse by a nonprofit organization.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. The Legislature finds and declares all of the
2 following:

3 (a) California faces a unique challenge and opportunity regarding
4 the disposal of obsolete computer equipment.

5 (b) Thousands of schools, nonprofit organizations, and
6 low-income families could benefit from access to computers that
7 are stockpiled in homes and businesses.

8 (c) It is preferable to reuse computers an extra two or three years
9 than to recycle their components to ease the impact on landfills.

10 (d) Refurbished or reused computer equipment would help the
11 state to reduce the environmental impact of e-waste and help
12 schools, low-income families, and nonprofit organizations cross
13 the digital divide.

14 SEC. 2. Section 42475.5 is added to the Public Resources Code,
15 to read:

16 42475.5. The board shall adopt regulations for the proper and
17 legal donation of covered electronic devices intended for reuse by
18 a nonprofit organization, including, but not limited to, the
19 development of a “Transfer of Ownership to a Nonprofit” form
20 that may be used by an authorized collector when a covered
21 electronic device is transferred by a person or company for
22 refurbishing or reuse by a nonprofit organization. This form shall
23 include, but not be limited to, documentation that can be applied
24 toward a state or federal income tax return, as applicable, and an
25 explanation of responsibility for the proper and legal disposal of
26 covered electronic devices.

O