

**ELECTRONIC EQUIPMENT WASTE DISPOSAL  
AND RECYCLING ACT**

2003 GENERAL SESSION

STATE OF UTAH

**Sponsor: Ralph Becker**

**This act modifies the Environmental Quality Code to ~~h~~ [require] ENCOURAGE ~~h~~ the Solid and  
Hazardous**

**Waste Control Board, with regard to electronic equipment waste, to establish an  
educational initiative that meets certain requirements and to monitor federal and state  
activities. The act provides for reporting to the Legislature. The act defines terms and  
grants rulemaking authority.**

This act affects sections of Utah Code Annotated 1953 as follows:

ENACTS:

**19-6-901**, Utah Code Annotated 1953

**19-6-902**, Utah Code Annotated 1953

**19-6-903**, Utah Code Annotated 1953

*Be it enacted by the Legislature of the state of Utah:*

Section 1. Section **19-6-901** is enacted to read:

**Part 9. Electronic Equipment Waste Disposal and Recycling Act**

**19-6-901. Title.**

This part is known as the "Electronic Equipment Waste Disposal and Recycling Act."

Section 2. Section **19-6-902** is enacted to read:

**19-6-902. Definitions.**

As used in this part:

(1) "Board" means the Solid and Hazardous Waste Control Board created in Section  
19-1-106.

(2) (a) "Electronic equipment waste" means a device that:

(i) a person intends to:



- 28           (A) dispose of; or
- 29           (B) recycle; and
- 30           (ii) contains:
- 31           (A) complex electronic circuitry;
- 32           (B) a circuit board; or
- 33           (C) signal processing.
- 34           (b) "Electronic equipment waste" includes a device that:
- 35           (i) contains a cathode ray tube including:
- 36           (A) a television; or
- 37           (B) a computer monitor; or
- 38           (ii) uses a rechargeable battery including a cell phone.
- 39           (3) "Rechargeable battery" means a battery subject to the requirements of 42 U.S.C.

40 Sec. 14321 et seq. including:

- 41           (a) a used nickel-cadmium rechargeable battery;
- 42           (b) a used small sealed lead-acid battery; or
- 43           (c) other regulated battery as defined in 42 U.S.C. Sec. 14302.

44 Section 3. Section **19-6-903** is enacted to read:

45 **19-6-903. Educational initiative -- Board duties.**

46 (1) The board ~~shall~~ **MAY** establish an educational initiative that includes information  
47 concerning:

- 48           (a) the potential hazards of improperly disposing electronic equipment waste;
- 49           (b) any requirements imposed under this title or rules made under this title for disposal  
50 of electronic equipment waste;

- 51           (c) state and local efforts to encourage or facilitate:
- 52           (i) the proper disposal of electronic equipment waste; or
- 53           (ii) recycling of electronic equipment waste; and
- 54           (d) nongovernmental efforts to encourage or facilitate:
- 55           (i) the proper disposal of electronic equipment waste; or
- 56           (ii) recycling of electronic equipment waste.

57 (2) As part of the educational initiative described in Subsection (1), the board

57a ~~shall~~ **MAY** :

- 58           (a) make available electronically the information described in Subsection (1); and

- 59           (b) develop one or more programs designed to educate:
- 60           (i) the public;
- 61           (ii) local governments that operate or have within their boundaries a facility for:
- 62           (A) waste treatment;
- 63           (B) waste storage; or
- 64           (C) waste disposal; and
- 65           (iii) state agencies that generate electronic equipment waste.
- 66           (3) The board ~~shall~~ **MAY** monitor actions taken by the federal government and other
- 66a states to
- 67 address:
- 68           (a) disposal of electronic equipment waste; or
- 69           (b) recycling of electronic equipment waste.
- 70           ~~At the request of an interim committee of the Legislature, the board shall report to~~
- 71 ~~that interim committee regarding issues related to electronic equipment waste including:~~
- 72 ~~(a) the educational initiative established under this section; or~~
- 73 ~~(b) actions monitored by the board under Subsection (3).]~~ **h**

**Legislative Review Note**  
as of 12-30-02 9:07 AM

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

**Office of Legislative Research and General Counsel**

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**Fiscal Note****Electronic Equipment Waste Disposal and Recycling Act***17-Jan-03***Bill Number HB0067***11:29 AM*

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**State Impact**

Provisions of this bill can be enacted within existing budgets.

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**Individual and Business Impact**

No fiscal impact.

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**Office of the Legislative Fiscal Analyst**