



HOUSE COMMITTEE ON APPROPRIATIONS
2009-10 Legislative Session

FISCAL NOTE

HOUSE BILL: 708

PRINTER'S NO: 787 PRIME SPONSOR: Ross

FISCAL IMPACT SUMMARY	FY 2009/10	FY 2010/11
Expenditure Increase/(Decrease):		
Recycling Fund	\$0	See Analysis
Revenue Increase/(Decrease):		
Recycling Fund	\$0	See Analysis

OVERVIEW:

House Bill 708 is a freestanding act that:

- establishes a recycling program for certain covered devices, which includes desktop and notebook computers and monitors, and televisions;
- imposes duties on manufacturers and retailers of certain covered devices;
- provides for the powers and duties of the Department of Environmental Protection (DEP) and for enforcement; and
- prescribes penalties.

This act shall take effect in 60 days.

ANALYSIS:

House Bill 708 establishes new duties for DEP, including oversight and enforcement of the provisions of the recycling program, public education, and maintenance of a list on their website of registered manufacturers with the Commonwealth.

The bill also requires all manufacturers of new covered devices to register with the department by January 30, 2011 and pay a registration fee of \$5,000. Additionally, each year the manufacturer shall pay a \$5,000 registration renewal fee and include a list of all brands that the manufacturer is using on its covered devices. Manufacturers and retailers are prohibited from charging a fee or cost to a consumer for this program. The fees will be used to offset the department's program costs associated with its new responsibilities.

The bill further provides that manufacturers who fail to label their new covered devices with a brand, or who do not register with the DEP or pay the registration fee, may be subject to penalties of up to \$10,000 for the first violation and \$25,000 for each subsequent violation. Retailers and any other persons who violate any other requirement of the act may receive a penalty of up to \$1,000 for the first violation and up to \$2,000 for subsequent violations. All money obtained through penalties will go into the Recycling Fund.

It is not possible at this time to quantify the amount of revenue that will be generated as a result of this legislation. Any revenue to be generated will depend on the number of manufacturers that pay the registration fee and the number of penalties that are assessed.

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General Note and Disclaimer: *This Fiscal Note was prepared pursuant to House Rule 19(a), and the elements considered and reported above are required by Section 5 of the rule. Estimates are calculated using the best information available. Actual costs and revenue impact incurred may vary from estimates.*