

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION**

**March 17, 2009**

**TO:** Honorable Byron Cook, Chair, House Committee on Environmental Regulation

**FROM:** John S. O'Brien, Director, Legislative Budget Board

**IN RE: HB1355** by Guillen (Relating to a program for the recycling of electronic equipment of consumers and certain other entities in this state; providing administrative penalties.), **As Introduced**

<b>No significant fiscal implication to the State is anticipated.</b>
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The bill would expand the computer-equipment recycling program to cover the following electronic equipment: televisions, personal digital assistants, electronic cameras, mobile telephones, and pagers. It would also expand the definition of "computer equipment" to include peripheral devices such as a computer mouse or computer keyboard. In addition, the would expand the definition of "consumer" to include certain small businesses, certain not-for-profit organizations, and certain schools.

The bill would require manufacturers of covered electronic equipment to establish free programs for the collection and recycling of their own brand(s) of covered electronic equipment from all entities proposed to be added to the currently existing definition of "consumer." The bill would also add a requirement that manufacturers, in their recovery plans, would have to provide for the collection and recycling of equipment without charge. Equipment could be collected at a site provided by a county or municipality provided for that purpose.

Manufacturers of covered electronic equipment would also have to report to the Texas Commission on Environmental Quality on their programs. Retailers would only be allowed to sell brands of covered electronic equipment that were on an online TCEQ list of manufacturers with recovery plans. Recyclers of covered electronic equipment under this program would have to follow certain standards. The TCEQ would have to educate consumers regarding the reuse and recycling of covered electronic equipment. An Internet site with a list of manufacturers with recovery plans may be used for this purpose. The TCEQ would also have to enforce, in conjunction with the AG's office, the provisions of the bill and take enforcement action against anyone not in compliance. The TCEQ would have to compile the results of the reports from manufacturers of covered electronic equipment and issue them electronically to the legislature annually.

The bill would also require vendors who bid on state contracts for the purchase or lease of covered electronic equipment to certify compliance with the act. The state would also have to give preference in bidding on state contracts to covered electronic equipment manufacturers who recycled and reused covered electronic equipment from other manufacturers.

Although passage of the bill would result in some costs to the TCEQ in providing public education, maintaining information on a web site, enforcing requirements for recycling covered electronic equipment, submitting an annual electronic report to the legislature, and compiling and issuing information regarding covered electronic equipment recycling by manufacturer, the TCEQ expects that all of the bill's requirements could be accomplished at minimal cost and within the agency's current budget.

**Local Government Impact**

No significant fiscal implication to units of local government is anticipated.

**Source Agencies:** 302 Office of the Attorney General, 313 Department of Information Resources, 582  
Commission on Environmental Quality

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