

## Session 118 - (2009-2010)

**H\*4093 (Rat #0212, Act #0178 of 2010) General Bill, By Loftis, Mitchell, H.B. Brown, Bedingfield, Anthony, G.A. Brown, Crawford, Dillard, Harvin, Hiott, Knight, Lowe, J.R. Smith, Toole, D.C. Moss, Sellers, Brady, Funderburk, Hodges, Horne, Gunn, Bowers, Hutto and Stavrinakis**

**Summary:** Manufacturer Responsibility and Consumer Convenience Information Technology Equipment Collection and Recovery Act

AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 60 TO TITLE 48 SO AS TO ENACT THE "SOUTH CAROLINA MANUFACTURER RESPONSIBILITY AND CONSUMER CONVENIENCE INFORMATION TECHNOLOGY EQUIPMENT COLLECTION AND RECOVERY ACT"; TO PROVIDE FINDINGS BY THE GENERAL ASSEMBLY; TO PROVIDE DEFINITIONS; TO REQUIRE A CERTAIN LABEL ON A COMPUTER OR TELEVISION DEVICE SOLD BY A MANUFACTURER; TO PROVIDE A COMPUTER MANUFACTURER MAY NOT SELL OR OFFER TO SELL A COVERED COMPUTER DEVICE UNLESS THE MANUFACTURER OFFERS A CERTAIN RECOVERY PROGRAM, AND TO DESCRIBE REQUIREMENTS FOR THIS PROGRAM; TO PROVIDE A TELEVISION MANUFACTURER MAY NOT SELL OR OFFER TO SELL A COVERED TELEVISION DEVICE UNLESS THE MANUFACTURER OFFERS A CERTAIN RECOVERY PROGRAM, AND TO DESCRIBE REQUIREMENTS FOR THIS PROGRAM; TO PROVIDE A COMPUTER OR TELEVISION MANUFACTURER MAY NOT BE LIABLE FOR DAMAGES ARISING FROM INFORMATION STORED ON A COVERED DEVICE COLLECTED FROM A CONSUMER UNDER THE MANUFACTURER'S RECOVERY PROGRAM; TO PROVIDE A RETAILER MAY ONLY SELL A COVERED DEVICE THAT MEETS CERTAIN REQUIREMENTS; TO PROVIDE AFTER JULY 1, 2011, A CONSUMER MAY NOT DISPOSE OF A COVERED DEVICE IN A CERTAIN MANNER; TO PROVIDE AN OWNER OR OPERATOR OF A SOLID WASTE LANDFILL MAY NOT KNOWINGLY ACCEPT COVERED DEVICES, AMONG OTHER THINGS; TO REQUIRE THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL PROVIDE CERTAIN INFORMATION ABOUT THE DISPOSAL OF COVERED DEVICES; TO PROVIDE THE DEPARTMENT MAY CONDUCT AUDITS AND INSPECTIONS OF A COMPUTER OR TELEVISION MANUFACTURER, RETAILER, OR RECOVERER TO DETERMINE COMPLIANCE WITH THIS CHAPTER; TO EXEMPT FINANCIAL AND PROPRIETARY INFORMATION SUBMITTED TO THE DEPARTMENT PURSUANT TO THIS CHAPTER FROM THE FREEDOM OF INFORMATION ACT; TO REQUIRE THE DEPARTMENT INCLUDE IN ITS ANNUAL SOLID WASTE REPORT INFORMATION PROVIDED BY MANUFACTURERS ON RECOVERY PROGRAMS; TO PROVIDE COVERED DEVICES MUST BE RECOVERED IN A MANNER THAT COMPLIES WITH ALL APPLICABLE FEDERAL, STATE, AND LOCAL REQUIREMENTS, AND CERTAIN RESPONSIBLE RECYCLING PRACTICES; AND TO PROVIDE THE DEPARTMENT SHALL PROMULGATE CERTAIN REGULATIONS. - ratified title

05/20/09	House	Introduced and read first time HJ-9
05/20/09	House	Referred to Committee on Agriculture, Natural Resources and Environmental Affairs HJ-10
05/20/09	House	Member(s) request name added as sponsor: D.C.Moss, Sellers
02/02/10	House	Member(s) request name added as sponsor: Brady
02/03/10	House	Member(s) request name added as sponsor: Funderburk
02/04/10	House	Member(s) request name added as sponsor: Hodges
02/04/10	House	Committee report: Favorable with amendment Agriculture, Natural Resources and Environmental Affairs HJ-14
02/17/10	House	Member(s) request name added as sponsor: Horne
02/18/10	House	Member(s) request name added as sponsor: Gunn, Bowers
02/24/10	House	Member(s) request name added as sponsor: Hutto
02/25/10	House	Member(s) request name added as sponsor: Stavrinakis
02/25/10	House	Debate adjourned until Tuesday, March 2, 2010 HJ-54
03/02/10	House	Amended HJ-44
03/02/10	House	Read second time HJ-63
03/03/10	House	Read third time and sent to Senate HJ-8
03/03/10		Scrivener's error corrected
03/09/10	Senate	Introduced and read first time SJ-4
03/09/10	Senate	Referred to Committee on Agriculture and Natural Resources SJ-4
04/15/10	Senate	Committee report: Favorable with amendment Agriculture and Natural Resources SJ-9
04/16/10		Scrivener's error corrected
04/22/10	Senate	Committee Amendment Adopted SJ-49
04/22/10	Senate	Read second time SJ-49

04/28/10	Senate	Amended SJ-25
04/28/10	Senate	Read third time and returned to House with amendments SJ-25
05/06/10	House	Concurred in Senate amendment and enrolled HJ-37
05/06/10	House	Roll call Yeas-97 Nays-0 HJ-37
05/13/10		Ratified R 212
05/19/10		Signed By Governor
05/26/10		Effective date See Act for Effective Date
06/09/10		Act No. 178