93rd Arkansas General Assembly: Electronic Waste Legislation/Collection Recovery Plan

Walter Wright, Jr.
wwright@mwlaw.com
(501) 688.8839

04/05/2021

The 93rd Arkansas General Assembly convened for regular session on January 11th.

Senate Bill 585 ("SB 585") has been introduced to create what is described as "Electronic Waste Recycling Program and a Collective Recovery Plan."

SB 585 was introduced by Senator D. Wallace. It would amend Arkansas Code Title 8, Chapter 9, to add an additional subchapter which would read as follows:

Electronic Waste Collection, Recycling, and Reuse Act

Key elements of the program that would be established include:

- Development of an electronic waste recycling program
- Establishment of a collection recovery plan
- Utilization of public and private agreements to implement the program
- Management and accountability of the program through contract administration

The focus of the program is encompassed by the phrase "consumer electronic item." The term is defined to include:

. . . an electric item or other electronic waste containing an intact or broken cathode ray tube, including without limitation . . .

The remainder of the definition describes a number of electronic items such as televisions, computer monitors, etc., that are encompassed.

SB 585 describes a process in which a consumer electronic items recovery plan is submitted to the Arkansas Department of Energy and Environment – Division of Environmental Quality ("DEQ") for review. It addresses the required elements of the plan such as access to recovery and collection options for an eligible entity and utilization of a contractor. Required expertise and infrastructure that a contractor must have are also addressed.

The legislation also describes the requirement for activities of the contractor to be transparent and the process for selecting a contractor.

SB 585 has been referred to the House Public Health, Welfare and Labor Committee.

A copy of SB 585 can be downloaded here.