

HOUSE No. 872

By Ms. Spiliotis of Peabody, petition of Joyce A. Spiliotis for legislation to reduce electronic waste in the Commonwealth by increasing public knowledge and privacy protection. Environment, Natural Resources and Agriculture.

The Commonwealth of Massachusetts

In the Year Two Thousand and Seven.

AN ACT REDUCING ELECTRONIC WASTE IN THE COMMONWEALTH BY INCREASING PUBLIC KNOWLEDGE AND PRIVACY PROTECTION.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. (a) This Act may be cited as the Electronic Waste
2 Act.

3 (b) This Act aims to reduce harmful electronic waste by requiring
4 computer manufacturers to provide consumers with information on
5 the need for electronic waste recycling, electronic recycling options
6 and ways to erase personal data from computers.

1 SECTION 2. Section 2 of Chapter 21C of the Massachusetts
2 General Laws is hereby amended by inserting after the definition of
3 “commissioner” the follow definitions:—

4 “Computer”, an electronic, magnetic, optical, electrochemical, or
5 other data processing device that quickly performs logical, arith-
6 metic, or storage functions; includes both a computer central pro-
7 cessing unit and a monitor; includes personal computers, desktop
8 and portable computers.

9 “Computer manufacturer”, any person engaged in the manufac-
10 turing business of making computers, computer keyboards, com-
11 puter speakers, and any and all other computer peripherals, including
12 printers intended for use with computers.

1 SECTION 3. Section 2 of Chapter 21C of the Massachusetts
2 General Laws is hereby amended by inserting after the definition of
3 “division” the follow definition:—

4 “Electronic recycling”, any process by which electronic devices,
5 including computers, which would otherwise become solid waste or
6 hazardous waste, are collected, separated, and processed for use as
7 raw materials or products, or for disposal in any form that presents
8 less harm, or threat of harm, to the environment than had the elec-
9 tronic devices not undergone the process.

1 SECTION 4. Section 4 of Chapter 21C of the Massachusetts
2 General Laws is hereby amended by adding the following para-
3 graph:—

4 The department shall conduct a program that requires compliance
5 with the following provisions: (1) no person shall sell a computer
6 unless the computer manufacturer includes information on electronic
7 recycling pursuant to this paragraph; (2) the information shall clearly
8 inform the purchaser of: the need for electronic recycling, any elec-
9 tronic recycling program the manufacturer has implemented that
10 may apply to that computer, and how a purchaser can erase their per-
11 sonal data from the computer before recycling or donation; (3) the
12 computer manufacturer shall print the information either on the com-
13 puter packaging, in the computer’s user manual, or on a separate
14 flyer or pamphlet included with the computer; (4) if the computer
15 manufacturer does not have a relevant recycling program, the com-
16 puter manufacturer shall provide information on an electronic recy-
17 cling program available to the purchaser. The department shall
18 monitor and evaluate the impact of this program and report its find-
19 ings to the Executive Office of Environmental Affairs and Joint
20 Committee on Environment, Natural Resources and Agriculture.