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**