

Chapter 372

(House Bill 448)

AN ACT concerning

Procurement – Preferences – ~~Computer Purchasing and Electronics Recycling~~ Purchasing and Recycling Electronic Products

FOR the purpose of requiring a State unit to purchase ~~computers~~ certain electronic products that are listed on the Electronic Product Environmental Assessment Tool registry or meet certain standards when purchasing ~~computers~~ electronic products for use by the State; requiring a State unit to award a procurement contract to ~~a certain certified electronics recycler~~ certain recyclers of electronic products when awarding a procurement contract for ~~electronics recycling services~~ services to recycle electronic products; defining certain terms; and generally relating to the procurement preferences for ~~computer purchasing and electronics recycling~~ purchasing and recycling electronic products.

BY adding to

Article – State Finance and Procurement
Section 14-413 and 14-414
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – State Finance and Procurement

14-413.

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) “ELECTRONIC PRODUCT” MEANS A PRODUCT COVERED BY EPEAT OR ANOTHER COMPREHENSIVE ENVIRONMENTAL RATING SYSTEM APPROVED BY THE DEPARTMENT OF INFORMATION TECHNOLOGY.

(3) “EPEAT” MEANS THE ELECTRONIC PRODUCT ENVIRONMENTAL ASSESSMENT TOOL.

(B) WHEN PURCHASING ~~COMPUTERS~~ AN ELECTRONIC PRODUCT TO BE USED BY THE STATE, A STATE UNIT SHALL PURCHASE ~~COMPUTERS~~ AN

~~ELECTRONIC PRODUCT THAT ARE LISTED ON THE ELECTRONIC PRODUCT ENVIRONMENTAL ASSESSMENT TOOL REGISTRY:~~

(1) IS LISTED AND RATED SILVER OR GOLD ON THE EPEAT REGISTRY; OR

(2) MEETS NATIONALLY RECOGNIZED AND CONSENSUS-BASED STANDARDS ESTABLISHED BY A COMPREHENSIVE ENVIRONMENTAL RATING SYSTEM APPROVED BY THE DEPARTMENT OF INFORMATION TECHNOLOGY.

(C) IF A UNIT REQUESTS A WAIVER FROM THE REQUIREMENT IN SUBSECTION (B) OF THIS SECTION, THE SECRETARY OF INFORMATION TECHNOLOGY, OR THE SECRETARY'S DESIGNEE, MAY WAIVE THE REQUIREMENT.

14-414.

~~WHEN AWARDING A PROCUREMENT CONTRACT FOR ELECTRONICS RECYCLING SERVICES, A STATE UNIT SHALL AWARD THE CONTRACT TO AN ELECTRONICS RECYCLER THAT IS R2 OR E STEWARDS CERTIFIED.~~

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) "CERTIFIED E-STEWARDS RECYCLER" MEANS A RECYCLER OF ELECTRONIC PRODUCTS THAT HAS SUCCESSFULLY COMPLETED THE E-STEWARDS CERTIFICATION PROGRAM CREATED BY THE BASEL ACTION NETWORK.

(3) "ELECTRONIC PRODUCT" MEANS A PRODUCT RECYCLED BY:

(I) A CERTIFIED E-STEWARDS RECYCLER;

(II) A R2 CERTIFIED RECYCLER; OR

(III) A RECYCLER OF ELECTRONIC PRODUCTS THAT MEETS NATIONALLY RECOGNIZED AND CONSENSUS-BASED GUIDELINES, STANDARDS, AND SYSTEMS FOR RECYCLING THAT ARE APPROVED BY THE DEPARTMENT OF THE ENVIRONMENT IN CONSULTATION WITH THE DEPARTMENT OF GENERAL SERVICES.

(4) "R2 CERTIFIED RECYCLER" MEANS A RECYCLER OF ELECTRONIC PRODUCTS THAT IS CERTIFIED IN THE R2 PRACTICES STANDARDS THAT ARE MAINTAINED BY R2 SOLUTIONS.

(B) ON OR AFTER OCTOBER 1, 2014, WHEN AWARDING A PROCUREMENT CONTRACT FOR SERVICES TO RECYCLE ELECTRONIC PRODUCTS, A STATE UNIT SHALL AWARD THE CONTRACT TO A RECYCLER OF ELECTRONIC PRODUCTS THAT:

(1) IS R2 OR E-STEWARDS CERTIFIED; OR

(2) MEETS NATIONALLY RECOGNIZED AND CONSENSUS-BASED GUIDELINES, STANDARDS, AND SYSTEMS FOR RECYCLING THAT ARE APPROVED BY THE DEPARTMENT OF THE ENVIRONMENT IN CONSULTATION WITH THE DEPARTMENT OF GENERAL SERVICES.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2012.

Approved by the Governor, May 2, 2012.