

1 Section 1. Section 287.047, Florida Statutes, is
2 created to read:

3 287.047 Purchase of printer or duplication
4 cartridges.--

5 (1) For the purposes of this section, the following
6 terms shall have the following meanings:

7 (a) "Printer or duplication cartridge" means a
8 cartridge used in printer or duplication equipment, including,
9 but not limited to, a toner or ink cartridge.

10 (b) "Recycled" means a printer or duplication
11 cartridge that would otherwise become solid waste, but which
12 has been collected, sorted, cleansed, treated, or
13 reconstituted, and returned for use in the manufacture of a
14 new product or to be remanufactured.

15 (c) "Remanufactured" means a printer or duplication
16 cartridge that has served its intended use, and has been
17 restored, renovated, repaired, or recharged, rather than
18 discarded or disposed of, without substantial alteration of
19 its form.

20 (2) Notwithstanding any other provision of law, and
21 except as provided in subsection (3), no state agency shall
22 purchase any printer or duplication cartridge upon which the
23 manufacturer, wholesaler, distributor, retailer, or
24 remanufacturer places restrictions with respect to the
25 recycling or remanufacturing of the cartridge. For purposes
26 of this section, restrictions include, but are not limited to:

27 (a) Reducing the price of the cartridge in exchange
28 for any agreement not to remanufacture the cartridge.

29 (b) A licensing agreement on the cartridge that
30 forbids remanufacturing of the cartridge.

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1 (c) Any contract that forbids the remanufacturing or
2 recycling of the cartridge.

3 (3) Notwithstanding the provisions of subsection (2),
4 a state agency may purchase printer or duplication cartridges
5 from a manufacturer, wholesaler, distributor, retailer, or
6 remanufacturer that establishes a recycling or remanufacturing
7 program under which the purchaser may enter into a signed
8 agreement consenting to the return of used cartridges to the
9 manufacturer, wholesaler, distributor, retailer, or
10 remanufacturer, only for the following purposes:

11 (a) Recycling and remanufacturing, for purposes of
12 making remanufactured cartridges available for purchase; or

13 (b) Recycling.

14 (4) Each state agency shall print a statement on the
15 cover of its printer or duplication cartridge bid packages, or
16 in some other noticeable place in the bid package, notifying
17 all bidders that state agencies are prohibited from purchasing
18 printer or duplication cartridges from any manufacturer,
19 wholesaler, distributor, retailer, or remanufacturer that
20 places restrictions on the recycling or remanufacturing of
21 printer or duplication cartridges, except as provided in
22 subsection (2).

23 (5) The Department of Management Services shall adopt
24 rules pursuant to ss. 120.54 and 120.536(1) to implement the
25 provisions of this section.

26 Section 2. This act shall take effect upon becoming a
27 law.

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HOUSE SUMMARY

Prohibits state agencies from purchasing printer or duplication cartridges on which specified restrictions relating to the recycling or remanufacturing of the cartridges have been placed. Provides an exception for purchase from manufacturers, wholesalers, distributors, retailers, and remanufacturers of printer or duplication cartridges who establish specified programs for the return of used cartridges for recycling or remanufacturing. Requires state agencies to provide notice to bidders that the state is prohibited from purchasing printer or duplication cartridges, the recycling or remanufacture of which has been restricted.