

**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Commerce and Tourism Committee

**BILL:** CS/SB 1626

**INTRODUCER:** Commerce and Tourism Committee and Senator Lynn

**SUBJECT:** Television picture tubes

**DATE:** April 5, 2011

**REVISED:** \_\_\_\_\_

|    | ANALYST  | STAFF DIRECTOR | REFERENCE | ACTION |
|----|----------|----------------|-----------|--------|
| 1. | McCarthy | Cooper         | CM        | Fav/CS |
| 2. | _____    | _____          | _____     | _____  |
| 3. | _____    | _____          | _____     | _____  |
| 4. | _____    | _____          | _____     | _____  |
| 5. | _____    | _____          | _____     | _____  |
| 6. | _____    | _____          | _____     | _____  |

**Please see Section VIII. for Additional Information:**

- |                              |                                     |   |
|------------------------------|-------------------------------------|---|
| A. COMMITTEE SUBSTITUTE..... | <input checked="" type="checkbox"/> | Statement of Substantial Changes        |
| B. AMENDMENTS.....           | <input type="checkbox"/>            | Technical amendments were recommended   |
|                              | <input type="checkbox"/>            | Amendments were recommended             |
|                              | <input type="checkbox"/>            | Significant amendments were recommended |

**I. Summary:**

CS/SB 1626 (the bill) repeals s. 817.559, F.S., which requires cathode ray tubes (CRT, or television picture tubes) be correctly labeled to indicate the new and used components and materials in such picture tubes. The bill also repeals s. 817.56, F.S., which prohibits activities related to the sale or servicing of cathode ray tubes (television picture tubes).

**II. Present Situation:**

Enacted in 1973, s. 817.559, F.S., controls television picture tube labels and provides the following definitions:

- “Picture tube” means a cathode ray tube (CRT), commonly known as a television picture tube, designed primarily for use in a home-type television receiver alone or in combination with any electronic device or appliance.
- “Used picture tube” means a picture tube which has been sold to and used by a consumer.
- “Used component or material” means any part or material salvaged from a used or secondhand picture tube.

The statute also provides that no manufacturer, processor, or distributor of television picture tubes may offer for sale, or expose for sale, any such tube unless the television picture tube and its container, if any, are correctly labeled to indicate the new and used components and materials of such tube according to the schedule and manner hereinafter provided.

The description of the picture tube by new and used components and materials shall be indicated by setting forth on the label the particular grade and verbatim description as selected from the following which applies to such tube:

- Black and white picture tube.—
  - Grade AA.—Description: All new components and materials, including new glass envelope.
  - Grade A.—Description: Used glass envelope; all other components and materials are new.
  - Grade B.—Description: Used glass envelope, used phosphorescent viewing screen, used aluminization, and used internal conductive coating; all other components and materials are new.
  - Grade C.—Description: Used picture tube for resale; all significant components and materials are used.
- Color picture tube.—
  - Grade AA.—Description: All new components and materials, including new glass envelope.
  - Grade A.—Description: Used glass envelope and new or used shadow mask; all other components and materials are new.
  - Grade B.—Description: New electron gun; all other components and materials are used.
  - Grade C.—Description: Used picture tube for resale; all significant components and materials are used.
- Used picture tube.—The fact that a used picture tube has been rejuvenated, has a new or used brightener attached to it, or has fresh paint or coating on the outside, or any combination of the above, shall not change its status or description as a Grade C picture tube, and the terms “rebuilt” or “reconditioned” or words of like import shall not be used to describe such tube.
- Picture tube seconds.—When a picture tube is a “second,” such tube shall be designated by label as a “second” to the exclusion of any other grade designation or component description, and the following additional notation shall appear verbatim on the label: “This picture tube is a manufacturer’s reject or second line quality tube, but it is capable of giving satisfactory performance.”

Section 817.56, F.S., prohibits activities related to the sale or servicing of cathode ray tubes (television picture tubes). Specifically, this section prohibits:

- The sale, installation, distribution of used, secondhand, reactivated tubes, or tubes containing used components, without disclosing the true quality or condition of the tube by way of a stamp, mark, written notice or label;
- The removal of any tag, notice or label from any tube or container that discloses the true or actual quality of such tube;

- Representing that the tube is guaranteed without providing a writing disclosing the nature, extent and duration of the guarantee, the identity of the guarantor, and the manner in which the guarantor will perform;
- Representing that the tube is being sold at a reduction or savings when the alleged reduction is from a fictitious price;
- Representing a used tube, secondhand tube, or reactivated tube, or tube utilizing used components, directly or indirectly to be a new tube or a first quality tube;
- Reactivating or causing to be reactivated any tube for the purpose of deceiving another; and
- Making a representation that would mislead someone to think a tube was manufactured by a particular patent licensor when such is not the fact.

Any person who violates the provisions of these sections is guilty of a misdemeanor of the second degree.

### III. Effect of Proposed Changes:

**Section 1** repeals s. 817.559, F.S., which requires cathode ray tubes (CRT, or television picture tubes) be correctly labeled to indicate the new and used components and materials in such picture tubes. The bill also repeals s. 817.56, F.S., which prohibits activities related to the sale or servicing of cathode ray tubes (television picture tubes).

**Section 2** provides that the act will take effect July 1, 2011.

### IV. Constitutional Issues:

#### A. Municipality/County Mandates Restrictions:

None.

#### B. Public Records/Open Meetings Issues:

None.

#### C. Trust Funds Restrictions:

None.

### V. Fiscal Impact Statement:

#### A. Tax/Fee Issues:

None.

#### B. Private Sector Impact:

There is a possible cost savings to private industry in that they will no longer have to label, sell or service picture tubes as outlined in the current statutes.

C. Government Sector Impact:

None.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

Preliminary research indicates that the demise of the “picture tube” had been expected as far back as 2006, where USA Today reported that retailers expect little to no demand for CRTs by 2009, partly because of a government-imposed deadline requiring television broadcasts nationwide to switch to all-digital by February of that year.<sup>1</sup>

**VIII. Additional Information:**

A. Committee Substitute – Statement of Substantial Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

**CS by Commerce and Tourism Committee on April 5, 2011:**

The CS also includes a repeal of s. 817.56, F.S., which prohibits activities related to the sale or servicing of cathode ray tubes (television picture tubes).

B. Amendments:

None.

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This Senate Bill Analysis does not reflect the intent or official position of the bill’s introducer or the Florida Senate.

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<sup>1</sup> [http://www.usatoday.com/tech/products/gear/2006-10-22-crt-demise\\_x.htm](http://www.usatoday.com/tech/products/gear/2006-10-22-crt-demise_x.htm)