

By Senator McClain

9-00581-25

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1                   A bill to be entitled  
2           An act relating to requirements for battery  
3           manufacturers; amending s. 403.7192, F.S.; defining  
4           terms; prohibiting cell manufacturers or marketers  
5           from selling consumer or nonconsumer products powered  
6           by medium-format, portable, lithium, or primary  
7           batteries; providing an effective date.

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9   Be It Enacted by the Legislature of the State of Florida:

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11           Section 1. Present paragraphs (c), (d), (e), and (f) of  
12           subsection (1) of section 403.7192, Florida Statutes, are  
13           redesignated as paragraphs (d), (h), (i), and (j), respectively,  
14           new paragraphs (c), (e), (f), and (g) are added to that  
15           subsection, and subsection (4) of that section is amended, to  
16           read:

17           403.7192 Batteries; requirements for consumer,  
18           manufacturers, and sellers; penalties.—

19           (1) As used in this section, the term:

20           (c) "Lithium battery" means a rechargeable battery that  
21           uses lithium ions as the primary component of its electrode.

22           (e) "Medium-format battery" means a primary or rechargeable  
23           covered battery with any of the following properties:

24           1. For a primary battery, a battery weighing at least 4.4  
25           pounds but not more than 25 pounds.

26           2. For a rechargeable battery, a battery weighing at least  
27           11 pounds, but not more than 25 pounds, and having a rating of  
28           at least 300 watt-hours, but not more than 2,000 watt-hours.

29           (f) "Portable battery" means a primary or rechargeable

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30 covered battery that:

31 1. For a primary battery, weighs no more than 4.4 pounds.

32 2. For a rechargeable battery, weighs no more than 11  
33 pounds and has a rating of no more than 300 watt-hours.

34 (g) "Primary battery" means a battery that is not capable  
35 of being recharged.

36 (4) A cell manufacturer or marketer may ~~shall~~ not sell or  
37 offer for sale in this state any consumer product or nonconsumer  
38 product that is powered by a lithium battery, medium-format  
39 battery, portable battery, primary battery, or rechargeable  
40 battery unless:

41 (a) In the case of consumer products, the battery can be  
42 easily removed by the consumer, or the battery is contained in a  
43 battery pack that is separate from the product and can be easily  
44 removed from the product.

45 (b) In the case of nonconsumer products, the battery can be  
46 removed or is contained in a battery pack that is separate from  
47 the product.

48 (c) The product or the battery, or the package in the case  
49 of a consumer product, is labeled with a recycling symbol and  
50 includes, as an indication of the chemical composition of the  
51 battery, the term "Cd" for nickel-cadmium batteries or "Pb" for  
52 small sealed lead batteries.

53 (d) The instruction manual for the product or, in the case  
54 of a consumer product, the package containing the product states  
55 that the sealed lead or nickel-cadmium battery must be recycled  
56 or disposed of properly.

57 Section 2. This act shall take effect July 1, 2025.