



LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/03/2026	.	
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The Committee on Environment and Natural Resources (McClain) recommended the following:

1                   **Senate Amendment (with title amendment)**

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3                   Delete lines 98 - 622

4 and insert:

5 printers, fax machines, scanners, televisions, digital video  
6 disc players and recorders, video cassette recorders, digital  
7 converter boxes, cable receivers, satellite receivers, portable  
8 digital music players, or video game consoles.

9                   (2) "Battery stewardship organization" or "BSO" means:

10                   (a) A third-party entity designated by one or more



11 producers to implement an approved battery stewardship plan; or

12 (b) A group of producers which directly implement an  
13 approved battery stewardship plan.

14 (3) "Covered battery" means a portable battery or a medium  
15 format battery. The term does not include any of the following:

16 (a) A battery contained in a medical device as defined in  
17 21 U.S.C. s. 321(h) which is not designed or marketed for sale  
18 or resale at retail locations for personal use.

19 (b) A battery that uses free-flowing liquid electrolyte or  
20 a product that contains such a battery.

21 (c) A battery designed to power a motor vehicle, part of a  
22 motor vehicle, or a component part of a motor vehicle assembled  
23 by or for a vehicle manufacturer or franchised dealer, including  
24 replacement parts for use in a motor vehicle.

25 (d) A battery designed to power an off-highway vehicle as  
26 defined in s. 261.03(5), part of an off-highway vehicle, or a  
27 component of an off-highway vehicle assembled by or for a  
28 vehicle manufacturer or franchised dealer, including replacement  
29 parts for use in an off-highway vehicle.

30 (e) A battery used in a product which is not intended or  
31 designed to be easily removable from the product.

32 (f) A battery or battery-containing product recalled for  
33 safety reasons.

34 (g) A battery or battery-containing product offered for  
35 resale by a business that, as part of its operations, offers  
36 products for resale to other businesses or to consumers.

37 (h) Batteries or battery materials that are imported into  
38 this state after collection and are sold to or managed by  
39 collectors, logistics companies, or recyclers for the purpose of



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40 end-of-life management.

41 (i) Lead-acid batteries or battery components that weigh 11  
pounds or more.

43 (4) "Medium format battery" means any of the following:

44 (a) For nonrechargeable batteries, a battery that weighs  
more than 4.4 pounds, but not more than 25 pounds; or  
45 (b) For rechargeable batteries, a battery that weighs more  
46 than 11 pounds or that has a rating of more than 300 watt-hours,  
47 or both, but weighs not more than 25 pounds or has a rating of  
48 less than 2,000 watt-hours.

49 (5) "Portable battery" means any of the following:

50 (a) For nonrechargeable batteries, a battery that weighs  
51 4.4 pounds or less; or  
52 (b) For rechargeable batteries, a battery that weighs 11  
53 pounds or less and has a rating of not more than 300 watt-hours.

54 (6) (a) "Producer" means the following person or persons  
55 responsible for compliance with requirements under this chapter  
56 for a covered battery or battery-containing product sold,  
57 offered for sale, or distributed in or into this state:

58 1. For covered batteries:

59 a. If the battery is sold under the brand of the battery  
60 manufacturer, the producer is the person who manufactures the  
61 battery;

62 b. If the battery is sold under a retail brand or under a  
63 brand owned by a person other than the manufacturer, the  
64 producer is the brand owner;

65 c. If there is no person to whom sub subparagraph a. or  
66 sub subparagraph b. applies, the producer is the person who is  
67 the licensee of a brand or trademark under which the battery is



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69 used in a commercial enterprise, sold, offered for sale, or  
70 distributed in or into this state, regardless of whether the  
71 trademark is registered in this state;

72 d. If there is no person to whom sub subparagraph a., sub-  
73 subparagraph b., or sub subparagraph c. applies, the producer is  
74 the person who is the importer of record for importing the  
75 battery into the United States for use in a commercial  
76 enterprise that sells, offers for sale, or distributes the  
77 battery in this state; or

78 e. If there is no person to whom sub subparagraph a., sub-  
79 subparagraph b., sub subparagraph c., or sub subparagraph d.  
80 applies or no person with a commercial presence in this state,  
81 the producer is the person who first sells, offers for sale, or  
82 distributes the battery in or into this state.

83 2. For covered battery-containing products:

84 a. If the battery-containing product is sold under the  
85 brand of the product manufacturer, the producer is the person  
86 who manufactures the product;

87 b. If the battery-containing product is sold under a retail  
88 brand or under a brand owned by a person other than the  
89 manufacturer, the producer is the brand owner;

90 c. If there is no person to whom sub subparagraph a. or  
91 sub subparagraph b. applies, the producer is the person who is  
92 the licensee of a brand or trademark under which the product is  
93 used in a commercial enterprise, sold, offered for sale, or  
94 distributed in or into this state, regardless of whether the  
95 trademark is registered in this state;

96 d. If there is no person described in sub subparagraph a.,  
97 sub subparagraph b., or sub subparagraph c. within the United



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98 States, the producer is the person who is the importer of record  
99 for the product into the United States for use in a commercial  
100 enterprise that sells, offers for sale, or distributes the  
101 product in this state; or

102 e. If there is no person described in sub subparagraph a.,  
103 sub subparagraph b., sub subparagraph c., or sub subparagraph d.  
104 with a commercial presence in this state, the producer is the  
105 person who first sells, offers for sale, or distributes the  
106 product in or into this state.

107 (b) A producer does not include any person who only  
108 manufactures, sells, offers for sale, distributes, or imports  
109 into this state a battery-containing product if the only  
110 batteries used by the battery-containing product are supplied by  
111 a producer that has joined a registered BSO as the producer for  
112 that covered battery under this chapter. Such a producer of  
113 covered batteries that are included in a battery-containing  
114 product shall provide written certification of that membership  
115 in a registered BSO to both the producer of the covered battery-  
116 containing product and the BSO of which the battery producer is  
117 a member.

118 (7) "Rechargeable battery" means a battery that contains  
119 one or more voltaic or galvanic cells electrically connected to  
120 produce electric energy and that is designed to be recharged.

121 (8) "Recovery" means collecting, accumulating, and  
122 transporting quantities of covered batteries or battery-  
123 containing products for the purpose of end-of-life management.

124 (9) (a) "Recycling" means the reprocessing, by means of a  
125 manufacturing process, of a used material into a product or a  
126 secondary raw material.



127                   (b) The term does not include:  
128                   1. Energy recovery or energy generation by means of  
129                   combustion of the used material;  
130                   2. Use of the used material as a fuel;  
131                   3. Use of the used material as alternative daily cover,  
132                   meaning material placed on the surface of a landfill at the end  
133                   of each operating day to prevent such hazards as fires and to  
134                   manage odors; or  
135                   4. Landfill disposal of discarded covered materials.  
136                   (10) "Retailer" means a person or an entity that sells or  
137                   offers for sale a covered battery in this state or offers or  
138                   otherwise makes available covered batteries or battery-  
139                   containing products to a customer, including other businesses,  
140                   in this state.

141                   Section 3. Section 403.71873, Florida Statutes, is created  
142                   to read:

143                   403.71873 Requirements for producers or retailers of  
144                   covered batteries or battery-containing products; prohibition.—

145                   (1) REQUIREMENTS.—  
146                   (a) Beginning January 1, 2028, a producer must do all of  
147                   the following before selling, offering for sale, or distributing  
148                   for sale in this state any covered battery or battery-containing  
149                   product:

150                   1. Be a member of a BSO operating pursuant to a battery  
151                   stewardship plan approved by the department under s. 403.71874.  
152                   This subparagraph does not apply to a retailer if the website  
153                   maintained by the department pursuant to s. 403.71879 lists, as  
154                   of the date a battery or product is made available for retail  
155                   sale, the producer or brand of the battery or product in the



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156 approved battery stewardship plan. Retailers of covered  
157 batteries or battery-containing products are not required to  
158 make retail locations available to serve as collection sites for  
159 a stewardship program operated by a BSO. Retailers that serve as  
160 a collection site may participate in an approved stewardship  
161 plan and comply with the requirements for collection sites,  
162 consistent with s. 403.71876.

163 2. Provide verification to the department that the covered  
164 battery or the battery in the battery-containing product has  
165 labeling or is imprinted with text that identifies the producer  
166 of the battery with a clear mark or insignia.

167 (b) Beginning January 1, 2029, a producer of a covered  
168 battery or a battery in a battery-containing product must list  
169 the following information on such batteries:

170 1. The chemistry of the battery.  
171 2. An indicator that the battery may not be disposed of as  
172 household waste and is not eligible for curbside recycling.

173  
174 Subparagraph (a)2. and paragraph (b) do not apply to a battery  
175 that can fit entirely, in any orientation, into the small parts  
176 cylinder described in 16 C.F.R. s. 1501.4. In this case, the  
177 mark required pursuant to subparagraph (a)2. must be placed on  
178 the packaging of the battery or battery-containing product. The  
179 department may amend by rule the requirements of this subsection  
180 to maintain consistency with the labeling requirements or  
181 voluntary standards for batteries established in federal law.

182 (2) PROHIBITION.—A producer, retailer, or BSO may not  
183 charge a point-of-sale fee to consumers to cover the costs of  
184 implementing a battery stewardship plan approved by the



185 department under s. 403.71874.

186       Section 4. Section 403.71874, Florida Statutes, is created  
187 to read:

188       403.71874 Battery stewardship plan components.—

189       (1) Beginning January 1, 2027, any BSO operating in this  
190 state shall submit a battery stewardship plan, referred to  
191 hereafter as "plan," to the department for review and approval.

192       (2) A plan must include all of the following:

193       (a) The name and contact information of each producer  
194 included in the plan.

195       (b) The brand of the covered battery or batteries that the  
196 BSO's producer sells, offers for sale, or distributes for sale  
197 in this state. All such brands must be listed in the plan.

198       (c) Performance goals and processes for achieving such  
199 goals. Performance goals must include, but need not be limited  
200 to, an education and outreach strategy to enhance consumer  
201 awareness of the plan and of the convenience and accessibility  
202 of end-of-life management options for covered batteries or  
203 batteries in battery-containing products collected pursuant to  
204 the plan.

205       (d) Processes for providing notice to retailers of the  
206 prohibition in s. 403.71873(2).

207       (e) Processes for providing collection sites with signage,  
208 written materials, and other promotional materials to inform  
209 consumers of the available end-of-life management options for  
210 covered batteries collected pursuant to the plan.

211       (f) Collection site safety training procedures that must  
212 include, but need not be limited to, all of the following:

213       1. Operating protocols to reduce risks of spills or fires



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214 and response protocols for such events.

215 2. Protocols for the safe management of damaged or  
216 defective batteries.

217 (g) A detailed budget that equitably distributes plan  
218 implementation costs among the members of the BSO.

219 (h) Procedures and guidelines for covered battery  
220 collection which ensure covered battery collection will occur at  
221 no cost to consumers on a continuous, convenient, visible, and  
222 accessible basis, regardless of the brand or producer of the  
223 covered battery.

224 (i) Procedures and guidelines to govern the execution of s.  
225 403.71876.

226 (j) Criteria for the designation of an entity as a covered  
227 battery collection site and the addresses of such designated  
228 covered battery collection sites.

229 (k) The names of proposed service providers, including  
230 sorters, transporters, and processors, to be used for the final  
231 disposition of batteries.

232 (l) Procedures and guidelines to govern how the BSO shall  
233 coordinate with material recovery facilities and secondary  
234 processors to properly process and transport for end-of-life  
235 management any covered batteries improperly sent to such  
236 facilities through the waste or recycling streams.

237 (m) Procedures for recordkeeping, tracking, and documenting  
238 the management and disposition of collected covered batteries,  
239 including any delay anticipated by the BSO in managing medium  
240 format batteries.

241 (3) An approved plan is valid for 5 years. A BSO whose plan  
242 is approved pursuant to this section shall do all of the



243 following:

244 (a) Submit a new plan to the department for approval 1 year  
245 before the expiration of the existing approved plan. If the  
246 performance goals included in the previously approved plan have  
247 not been met, the new plan must include corrective measures that  
248 the BSO must implement to meet such performance goals, which may  
249 include, but need not be limited to, improvements to the  
250 collection site network or increased expenditures dedicated to  
251 education and outreach.

252 (b) Submit plan amendments to the department for approval.

253 (c) Notify the department within 90 days after a producer,  
254 processor, or transporter begins or ceases participation in the  
255 BSO, or within 90 days after the addition or removal of a  
256 processor or transporter under the plan.

257 (4) (a) The department shall approve, conditionally approve,  
258 or deny a plan or plan amendment within 120 days after receiving  
259 such proposed plan or proposed plan amendment.

260 (b) If the department denies a proposed plan or amendment:

261 1. The department must notify the BSO of the denial in  
262 writing and provide a rationale describing why the proposed plan  
263 or amendment does not comply with this section;

264 2. The BSO must submit a revised plan or plan amendment, or  
265 notice of plan or plan amendment withdrawal, within 60 days  
266 after the denial; and

267 3. The department must approve or deny the revised plan or  
268 plan amendment within 90 days after resubmittal. The denial of a  
269 revised plan or plan amendment may be appealed to the  
270 department, and the appeal must be in accordance with chapter  
271 120.



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272       Section 5. Section 403.71875, Florida Statutes, is created  
273 to read:

274       403.71875 Battery stewardship organization fiscal duties.—A  
275 BSO implementing a battery stewardship plan approved under s.  
276 403.71874 has all of the following fiscal duties:

277       (1) Responsibility for all costs associated with  
278 implementing the plan.

279       (2) Reimbursement of local governments for demonstrable  
280 costs incurred by a local government facility or solid waste  
281 facility designated as a collection site under the plan.  
282 Reimbursement shall only be for local government and solid waste  
283 or recyclables handling facilities that individually collect  
284 more than 200 pounds annually.

285       (3) Collection of charges from participating producers  
286 sufficient to cover the costs of implementing the plan,  
287 including battery collection, transportation, processing,  
288 education and outreach, and program evaluation.

289       Section 6. Section 403.71876, Florida Statutes, is created  
290 to read:

291       403.71876 Collection and management requirements.—  
292       (1) A BSO implementing an approved battery stewardship plan  
293 shall do all of the following:

294       (a) Provide for the collection of all covered batteries,  
295 statewide, from any person, regardless of the chemistry or brand  
296 of the battery, on a free, continuous, convenient, and  
297 accessible basis.

298       (b) Equip collection sites designated pursuant to s.  
299 403.71874(2)(j), at no cost to the sites, with suitable  
300 collection containers for covered batteries that are segregated



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301 from other solid waste, or provide alternative arrangements for  
302 the collection of such batteries at the site.

303 (c) Ensure that medium format batteries are collected only  
304 at household hazardous waste collection sites or other staffed  
305 collection sites that meet applicable federal, state, and local  
306 requirements for managing medium format batteries.

307 (d) Provide for the collection of damaged and defective  
308 batteries, by persons trained to handle and ship such batteries,  
309 at collection sites and at each permanent household hazardous  
310 waste facility and each household hazardous waste collection  
311 event provided by the department. As used in this paragraph, the  
312 term "damaged and defective batteries" means batteries that have  
313 been damaged or that have been identified by the manufacturer as  
314 being defective for safety reasons and that have the potential  
315 to produce a dangerous evolution of heat, fire, or short  
316 circuit, as referred to in 49 C.F.R. s. 173.185(f), or as  
317 provided by the state by rule to maintain consistency with  
318 federal standards.

319 (e) Coordinate the delivery of services with existing  
320 public and private waste collection services and facilities;  
321 transporters; consolidators; processors; electronic waste  
322 recyclers; other BSOs; retailers if cost-effective, mutually  
323 agreeable, and otherwise practical; or other related entities to  
324 provide efficient and cost-effective delivery of services.

325 (f) For portable batteries, provide all of the following  
326 within 3 years after approval of the battery stewardship plan:

327 1. At least one permanent collection site within a 15-mile  
328 radius for at least 95 percent of state residents; and  
329 2. At least one permanent collection site, collection



330 service, or collection event for every 30,000 residents of a  
331 county.

332 (g) For medium format batteries, provide all of the  
333 following within 3 years after approval of the battery  
334 stewardship plan:

335 1. At least 10 permanent collection sites in this state.

336 Such sites must be reasonably dispersed throughout this state;

337 2. A collection event at least once every 3 years in each  
338 county that does not have a permanent collection site, which  
339 must provide for the collection of all medium format batteries,  
340 including damaged and defective medium format batteries; and  
341 3. Any entity that may be used as a collection site or that  
342 will authorize a collection event on its property that satisfies  
343 the criteria in this paragraph.

344 (2) A BSO implementing an approved battery stewardship plan  
345 may issue a warning for the suspension or termination of a  
346 collection site or service that does not comply with the  
347 approved plan or that poses an immediate threat to public health  
348 and safety.

349 (3) A BSO is not required to provide for the collection of  
350 batteries, battery-containing products, or covered batteries  
351 that remain contained in a battery-containing product at the  
352 time of delivery to a collection site or collection event if  
353 such batteries or products are under a recall for safety  
354 reasons. A BSO may seek reimbursement from the producer of a  
355 battery or battery-containing product under recall for safety  
356 reasons for the costs incurred in collecting, transporting, or  
357 processing such batteries and products.

358 Section 7. Section 403.71877, Florida Statutes, is created



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359 to read:

360 403.71877 Battery stewardship plan implementation.—A BSO  
361 implementing an approved battery stewardship plan shall do all  
362 of the following to promote the implementation of the plan:

363 (1) Develop and maintain a website.

364 (2) Develop and place advertisements on social media or  
365 other relevant media platforms.

366 (3) Develop promotional materials about the plan and the  
367 restrictions on disposing of covered batteries.

368 (4) Develop and distribute to collection sites collection  
369 site safety training procedures to help ensure proper management  
370 of covered batteries at collection sites.

371 (5) Provide to each collection site used under the plan  
372 consumer-focused educational materials that are accessible by  
373 customers of retailers that sell covered batteries or battery-  
374 containing products.

375 (6) Provide safety information related to covered battery  
376 collection activities to the operator of each collection site  
377 used under the plan, including appropriate protocols to reduce  
378 risks of spills or fires, respond to a spill or fire, and manage  
379 a collected damaged or defective battery.

380 (7) Provide educational materials to the operator of each  
381 collection site used under the plan for the management of  
382 recalled batteries.

383 (8) Upon request by a retailer or other potential  
384 collection site, provide educational materials describing  
385 collection opportunities for covered batteries.

386 (9) Coordinate with other BSOs implementing a battery  
387 stewardship plan in providing education and outreach under s.



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388 403.71874 (2) (c) .

389 (10) Conduct a survey, during the first year of  
390 implementing a battery stewardship plan and once every 5 years  
391 thereafter, of public awareness of the outreach efforts  
392 undertaken pursuant to this section. The BSO shall make the  
393 results of the surveys available to the department.

394 Section 8. Section 403.71878, Florida Statutes, is created  
395 to read:

396 403.71878 Reporting requirements.—

397 (1) Starting June 1, 2029, and annually thereafter, a BSO  
398 implementing an approved battery stewardship plan shall submit a  
399 report to the department which includes all of the following:

400 (a) A summary financial statement documenting the financing  
401 of the plan and an analysis of plan costs and expenditures,  
402 including an analysis of the plan's expenses, such as  
403 collection, transportation, management, education, and  
404 administrative overhead. The summary financial statement is  
405 sufficiently detailed if it provides transparency regarding  
406 funds collected from producers spent on plan implementation, in  
407 addition to other necessary financial accounting information.

408 (b) The weight, by chemistry, of collected covered  
409 batteries.

410 (c) A list of all facilities used in the processing or  
411 disposition of covered batteries under the plan.

412 (d) For each facility used for the final disposition of  
413 covered batteries under the plan, an overview of how the  
414 facility processed or otherwise managed batteries and battery  
415 components.

416 (e) The weight and chemistry of covered batteries sent to



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417 each facility used for the final disposition of batteries. This  
418 information may be approximated based on extrapolations of  
419 national or regional data for programs in operation in multiple  
420 states.

421 (f) The estimated aggregate sales, by weight and chemistry,  
422 of covered batteries, including covered batteries contained in  
423 or packaged with battery-containing products, sold in this state  
424 by the BSO's participating producers for each of the previous 3  
425 calendar years.

426 (g) A summary describing the management and recycling of  
427 collected batteries.

428 (h) A description of education and outreach efforts  
429 supporting plan implementation, including:

430 1. A summary of education and outreach provided to  
431 consumers, collection sites, manufacturers, distributors, and  
432 retailers to promote the collection and recycling of covered  
433 batteries and an analysis of how such education and outreach met  
434 the requirements under s. 403.71874(2)(c)2.;

435 2. Samples of education and outreach materials;  
436 3. A summary of coordinated education and outreach efforts  
437 with any other BSOs implementing a battery stewardship plan;

438 4. A summary of any changes made during the previous  
439 calendar year to education and outreach activities; and

440 5. An evaluation of the effectiveness of education and  
441 outreach activities.

442 (i) A list of all collection sites used to implement the  
443 plan, an address for each listed site, a link to the website of  
444 each listed site, if available, and an up-to-date map indicating  
445 the location of each site.



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446        (j) A description of methods used to collect, transport,  
447 and recycle covered batteries under the plan.

448        (1) An analysis of the performance goals under the plan and  
449 the rationale describing why performance goals were not met, if  
450 applicable.

451        (2) After 4 years of implementation of an approved battery  
452 stewardship plan, a BSO or a producer member of such  
453 organization shall hire an independent third party to conduct a  
454 one-time audit of the battery stewardship plan and plan  
455 operation. The auditor shall examine the effectiveness of the  
456 battery stewardship plan in collecting and managing covered  
457 batteries. The auditor shall also examine the cost-effectiveness  
458 of the plan and compare it to the cost-effectiveness of  
459 collections plans and programs for covered batteries in other  
460 jurisdictions. The BSO shall submit a copy of such audit to the  
461 department.

462        Section 9. Section 403.71879, Florida Statutes, is created  
463 to read:

464        403.71879 Responsibilities of the department.—The  
465 department shall include on its website:

466        (1) A copy of all battery stewardship plans approved under  
467 s. 403.71874 and any amendments to such plans;

468        (2) The names of producer members covered under an approved  
469 battery stewardship plan;

470        (3) A list of brands of covered batteries covered under  
471 approved battery stewardship plans; and

472        (4) A copy of each annual report submitted to the  
473 department pursuant to s. 403.71878.

474        Section 10. Section 403.71881, Florida Statutes, is created



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475 to read:

476 403.71881 Antitrust.—A producer, retailer, or BSO is not  
477 liable for any claim of a violation of antitrust laws or laws  
478 relating to fraudulent, deceptive, or unfair methods of  
479 competition or trade practices arising from conduct that  
480 complies with an approved battery stewardship plan.

481 Section 11. Section 403.71882, Florida Statutes, is created  
482 to read:

483 403.71882 Collection of batteries independent of a battery  
484 stewardship plan.—

485 (1) A person or recycler may offer or perform fee-based  
486 household battery collection services or mail-back services for  
487 covered batteries in this state independently of a BSO if:

488 (a) The services are performed and facilities are operated  
489 in compliance with all applicable federal, state, and local laws  
490 and requirements;

491 (b) A person or recycler accepts all covered batteries; and

492 (c) Except as provided in subsection (2), all batteries  
493 collected by the person or recycler from customers in this state  
494 are provided to a BSO implementing an approved battery  
495 stewardship plan. After providing collected batteries to a BSO,  
496 any transport and processing of such batteries by the BSO must  
497 be done at the BSO's expense. A BSO may refuse to accept  
498 batteries from any such person or recycler if the department is  
499 notified of the reason for such refusal.

500 (2) A person or recycler described in subsection (1) may  
501 recycle covered batteries collected from customers in this state  
502 if such person or recycler provides annual collection data and  
503 recycling data to the department. Such data must include all of



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504 the following:

505 (a) The weight, by chemistry, of covered batteries  
506 collected.

507 (b) A description of how each facility recycled or  
508 otherwise managed batteries and battery components for the final  
509 disposition of covered batteries.

510 (3) Such person or recycler may not receive compensation  
511 from a BSO for any batteries collected, transported, or recycled  
512 under this section, unless otherwise agreed.

513 Section 12. Section 403.71883, Florida Statutes, is created  
514 to read:

515 403.71883 General battery disposal and collection  
516 requirements.—

517 (1) Beginning January 1, 2028, all of the following shall  
518 apply:

519 (a) A person may dispose of a covered battery only by  
520 delivery to a collection site or collection event operated under  
521 an approved battery stewardship plan or operated by an  
522 independent collector, unless the battery is regulated as  
523 hazardous waste.

524 (b) A person may not knowingly cause or allow the mixing of  
525 a covered battery with recyclable materials that are intended  
526 for processing and sorting at a material recovery facility  
527 without documenting the contents in the shipment manifest, the  
528 approval of the receiving party, and the approval of the  
529 transporting party.

530 (c) A person may not knowingly cause or allow the mixing of  
531 a covered battery with municipal waste that is intended for  
532 disposal at a landfill.



533        (d) A person may not knowingly cause or allow the disposal  
534 of a covered battery in a landfill.

535        (e) A person may not knowingly cause or allow the mixing of  
536 a covered battery with waste that is intended for burning or  
537 incineration without documenting contents in the shipment  
538 manifest, the approval of the receiving party, and the approval  
539 of the transporting party.

540        (2) An owner or operator of a solid waste facility may not  
541 be found in violation of this act if the facility has posted in  
542 a conspicuous location a sign stating that covered batteries  
543 must be managed through collection sites established by a BSO  
544 and are not accepted for disposal.

545        (3) A solid waste collector is not in violation of this act  
546 for a covered battery placed in a disposal container by a  
547 person.

548

549 ===== T I T L E   A M E N D M E N T =====

550 And the title is amended as follows:

551        Delete lines 5 - 67

552 and insert:

553        s. 403.71873, F.S.; requiring a producer to fulfill  
554 certain requirements, beginning on a specified date,  
555 before selling, offering for sale, or distributing for  
556 sale in this state any covered battery or battery-  
557 containing product; providing applicability;  
558 authorizing the department to amend by rule certain  
559 provisions for a certain purpose; requiring certain  
560 producers to list certain information on the battery  
561 beginning on a specified date; prohibiting a producer,



562       retailer, or battery stewardship organization (BSO)  
563       from charging a certain fee to consumers; creating s.  
564       403.71874, F.S.; requiring a BSO operating in this  
565       state to submit a battery stewardship plan to the  
566       Department of Environmental Protection for review and  
567       approval, beginning on a specified date; providing  
568       requirements for the plan; providing a term of  
569       validity for the plan; providing requirements for the  
570       plan; requiring a BSO with an approved plan to take  
571       certain actions; requiring the department to make a  
572       certain determination regarding a battery stewardship  
573       plan or plan amendment within a specified timeframe;  
574       providing certain requirements for the department and  
575       a BSO in the event a battery stewardship plan or  
576       amendment is denied; creating s. 403.71875, F.S.;  
577       providing fiscal duties for a BSO implementing an  
578       approved battery stewardship plan; creating s.  
579       403.71876, F.S.; requiring a BSO to take certain  
580       actions to implement an approved battery stewardship  
581       plan; authorizing a BSO implementing an approved  
582       battery stewardship plan to issue a warning for the  
583       suspension or termination of certain collection sites  
584       or services; providing that a BSO is not required to  
585       provide for the collection of batteries, battery-  
586       containing products, or covered batteries if such  
587       batteries or products are recalled for safety reasons;  
588       authorizing a BSO to seek reimbursement from the  
589       producer of such batteries or battery-containing  
590       products for certain costs; creating s. 403.71877,



591 F.S.; requiring a BSO to take certain actions to  
592 promote the implementation of a plan; creating s.  
593 403.71878, F.S.; requiring a BSO to submit a report to  
594 the department annually beginning on a specified date;  
595 providing requirements for such report; requiring a  
596 BSO to hire an independent third party to audit the  
597 battery stewardship plan and plan operation within a  
598 specified amount of time after the implementation of  
599 an approved battery stewardship plan; providing  
600 requirements for such audit; requiring a BSO to submit  
601 a copy of the audit to the department; creating s.  
602 403.71879, F.S.; requiring the department to include  
603 certain information on its website relating to battery  
604 stewardship plans; creating s. 403.71881, F.S.;  
605 providing that a producer, retailer, or BSO is not  
606 liable for any claim of a violation of antitrust laws  
607 or laws relating to fraudulent, deceptive, or unfair  
608 methods of competition or trade practices; creating s.  
609 403.71882, F.S.; authorizing a person or recycler to  
610 offer or perform fee-based household battery  
611 collection services or mail-back battery collection  
612 services independently of a BSO if certain conditions  
613 are met; authorizing such person or recycler to  
614 recycle covered batteries if such person or recycler  
615 provides annual collection and recycling data to the  
616 department; providing requirements for such data;  
617 prohibiting such person or recycler from receiving  
618 compensation from a BSO for certain batteries, unless  
619 otherwise agreed; creating s. 403.71883, F.S.;



620       providing requirements for the disposal and management  
621       of covered batteries, beginning on a specified date;  
622       providing an  
623