

<p>Department of Finance</p> <p style="text-align: center;"><b>STATE OF CALIFORNIA MANUAL OF STATE FUNDS</b></p>	<p><b>Fund: 3065</b></p> <p><b>PAGE 1</b></p> <p>Renumbered From:</p>
<p><b><u>Legal Title</u></b> Electronic Waste Recovery and Recycling Account, Integrated Waste Management Fund</p>	
<p><b><u>Legal Citation/Authority</u></b> Chapter 526, Statutes of 2003 (SB 20) Public Resources Code sections 42460 - 42485 (General Provisions); 42476 (Creation of Fund)</p>	
<p><b><u>Fund Classification</u></b> <b><u>GAAP Basis</u></b> Governmental/Special Revenue Funds</p>	<p><b><u>Fund Classification</u></b> <b><u>Legal Basis</u></b> Governmental/Other Governmental Cost Fund</p>
<p><b><u>Purpose</u></b> To provide sufficient funding for the safe, cost-free, and convenient collection and recycling of 100% of the covered electronic waste discarded or offered for recycling in the state, to eliminate electronic waste stockpiles and legacy devices by December 31, 2007, to end the illegal disposal of covered electronic devices, to establish manufacturer responsibility for reporting to the board on the manufacturer's efforts to phase out hazardous materials in electronic devices and increase the use of recycled materials, and to ensure that electronic devices sold in the state do not violate regulations.</p> <p>The Electronic Waste Recovery and Recycling Account was created within the Integrated Waste Management Fund to deposit all fees or fines collected pursuant to Public Resources Code (PRC) sections 42464 and 42474, respectively. The fees/fines are as follows:</p> <ul style="list-style-type: none"> <li>• PRC section 42464 requires a retailer selling a covered electronic device in this state to collect an electronic waste recycling fee from the consumer. The retailer may retain 3% of the covered electronic waste recycling fee as reimbursement for any costs associated with the collection of the fee.</li> <li>• PRC section 42474 provides for the amount of each fine imposed per offense for each sale of a covered electronic device for which a covered electronic waste recycling fee was not paid pursuant to PRC section 42464.</li> </ul> <p>The funds in this account may be expended for the following purposes:</p> <ul style="list-style-type: none"> <li>• To make electronic waste recovery payments to an authorized collector of covered electronic waste pursuant to PRC section 42479.</li> <li>• To make electronic waste recycling payments to covered to electronic waste recyclers of covered electronic waste pursuant to PRC section 42479.</li> <li>• To administer the Act, and provisions regulating covered electronic devices.</li> </ul> <p>Pursuant to PRC section 42476 (d) no more than 1% of the funds annually deposited into this account may be expended for the purpose of establishing the public information program to educate the public in the hazards of improper covered electronic device storage and disposal and on the opportunities to recycle covered electronic devices.</p>	

**Administering Agency/Organization Code**

Department of Resources Recycling and Recovery/Org 3970

**Major Revenue Source**

Fees and fines collected pursuant to PRC sections 42464 and 42474, respectively.

**Disposition of Fund (upon abolishment)**

Pursuant to Government Code section 16346, in the absence of language that identifies a successor fund, any balance remaining in this fund upon abolishment shall be transferred to the General Fund.

**Appropriation Authority**

PRC 42476 (a): Notwithstanding Government Code section 13340, the funds in the account are hereby continuously appropriated, without regard to fiscal year, for the following purposes:

1. To pay refunds of the covered electronic waste recycling fee imposed under PRC section 42464.
2. To make electronic waste recovery payments to an authorized collector of covered electronic waste pursuant to PRC section 42479.
3. To make electronic waste recycling payments to cover electronic waste recyclers pursuant to PRC section 42479.
4. To make payments to manufacturers pursuant to subdivision (g).

**State Appropriations Limit****Excluded** – Revenues in this fund are not proceeds of taxes, however, when transferred, may become proceeds of taxes. These revenues are used to regulate the activities engaged in by the payers.**Comments/Historical Information**

Pursuant to PRC section 42476 (b)(1) allows for the money in the account to be expended for the following purposes only upon appropriation by the Legislature in the annual Budget Act:

- For the administration of this chapter by the board and department.
- To reimburse the State Board of Equalization for its administrative costs of registering, collecting, making refunds, and auditing retailers and consumers in connection with the covered electronic waste recycling fee imposed under PRC section 42464.
- To provide funding to the department to implement and enforce Chapter 6.5 (commencing with Section 25100) of subdivision 20 of the Health and Safety Code.
- To establish the public information program specified in subdivision (d).

Chapter 21, Statutes of 2009 (SB 63) Section 9 changed administering agency from the California Integrated Waste Management Board/Org 3910 to the Department of Resources Recycling and Recovery/Org 3500 per PRC section 40401(a)(1).

Pursuant to the Governor's Reorganization Plan 2, the Administering Agency's Organization Code changed from Org 3500 to Org 3970, effective July 1, 2013.