

# OFFICE OF FISCAL ANALYSIS

Legislative Office Building, Room 5200  
Hartford, CT 06106 ◇ (860) 240-0200  
<http://www.cga.ct.gov/ofa>

sHB-5019

## AN ACT ESTABLISHING EXTENDED PRODUCER RESPONSIBILITY FOR CONSUMER BATTERIES.

As Amended by House "A" (LCO 8856)

House Calendar No.: 113

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### ***OFA Fiscal Note***

#### ***State Impact:***

Agency Affected	Fund-Effect	FY 26 \$	FY 27 \$
Department of Energy and Environmental Protection	GF - Potential Revenue Gain	Minimal	Minimal
Resources of the General Fund	GF - Potential Revenue Gain	See Below	See Below

Note: GF=General Fund

#### ***Municipal Impact:***

Municipalities	Effect	FY 26 \$	FY 27 \$
All Municipalities	Potential Savings	Minimal	None

### ***Explanation***

The bill requires a plan for and implements a statewide battery stewardship program. The Department of Energy and Environmental Protection (DEEP) is responsible for reviewing and approving the plans submitted by battery producers. The bill results in the fiscal impacts described below.

#### **Potential Revenue Gain to DEEP**

The bill may result in a revenue gain, beginning in FY 26, to DEEP as the department may assess a fee of up to \$50,000 annually on each stewardship organization to cover the costs of program administration. Total revenue is expected to be minimal annually,

Primary Analyst: SB  
Contributing Analyst(s):  
Reviewer: PR

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subject to the number of stewardship organizations and the fee set by DEEP.

There are no anticipated costs to DEEP for administration of the statewide battery stewardship program, DEEP has the staff and expertise necessary to oversee the program.

### **Fines**

The bill additionally allows the Office of the Attorney General (OAG) to bring an action to enforce the provisions of the bill resulting in a potential revenue gain to the state to the extent violations occur, the OAG brings an action, and fines are collected.

### **Municipal Impact**

The bill results in a potential savings to municipalities, beginning in FY 27, as fewer batteries would be a part of municipal solid waste (MSW). Current average tipping fees for MSW are approximately \$110 per ton. Any savings to municipalities would be dependent on the volume of batteries being disposed of in the MSW stream. The bill also allows municipalities to serve as a collection site for the battery stewardship program. Any costs to municipalities for serving as a collection site would be reimbursed by the battery stewardship organization.

House "A" strikes the underlying bill and its associated fiscal impact and replaces it with the fiscal impact described above.

### ***The Out Years***

The annualized ongoing fiscal impact identified above would continue into the future subject to the fee set by DEEP, the number of battery stewardship organizations, and the number of violations. The bill's other fiscal impacts will grow in the out years as producers of larger batteries become subject to certain stewardship program requirements beginning in FY 28.