



General Assembly

***Substitute Bill No. 5019***

*January Session, 2025*



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

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1       Section 1. (NEW) (*Effective October 1, 2025*) (a) For purposes of this  
2       section:

3       (1) "Department" means the Department of Energy and  
4       Environmental Protection.

5       (2) "Battery-containing product" means a product sold, offered for  
6       sale or distributed in or into this state that contains or is packaged with  
7       rechargeable or primary batteries that are covered batteries. "Battery-  
8       containing product" does not include a covered electronic product  
9       subject to the requirements of sections 22a-629 to 22a-640, inclusive, of  
10      the general statutes.

11      (3) "Battery stewardship organization" means a producer that directly  
12      implements a battery stewardship plan required under this section or a  
13      nonprofit organization designated by a producer or group of producers  
14      to implement a battery stewardship plan required under this section.

15      (4) "Collection rate" means a percentage, by weight, that a battery  
16      stewardship organization collects that is calculated by dividing the total  
17      weight of primary and rechargeable batteries collected by the battery

18 stewardship organization during the previous calendar year by the  
19 average annual weight of primary and rechargeable batteries that were  
20 estimated to have been sold in the state during the previous three  
21 calendar years by all producers participating in an approved battery  
22 stewardship plan.

23 (5) "Covered battery" means a portable or medium format battery,  
24 beginning January 1, 2027. "Covered battery" does not include: (A) A  
25 battery contained within a medical device, as specified in 21 USC 321(h)  
26 as it existed as of the effective date of this section, that is not designed  
27 and marketed for sale or resale principally to consumers for personal  
28 use; (B) a battery that contains an electrolyte as a free liquid; (C) a lead  
29 acid battery weighing greater than eleven pounds; (D) a motor vehicle  
30 battery subject to the provisions of section 22a-256h of the general  
31 statutes or any battery that is a component of a motor vehicle or that is  
32 intended for use exclusively in motor vehicles; (E) a battery recalled by  
33 the producer for safety reasons; (F) a battery in a battery-containing  
34 product that is not intended or designed to be easily removable from the  
35 battery-containing product; or (G) a battery subject to the provisions of  
36 sections 22a-629 to 22a-640, inclusive, of the general statutes.

37 (6) "Easily removable" means designed by the manufacturer to be  
38 removable by the user of the product with not more than commonly  
39 used household tools.

40 (7) "Environmentally sound management practices" means practices  
41 that: (A) Comply with all applicable federal, state and local regulatory  
42 requirements to protect workers, public health and the environment; (B)  
43 provide for recordkeeping, tracking and documenting of the fate of  
44 materials within the state and outside of the state in accordance with the  
45 requirements of this section; and (C) include comprehensive liability  
46 coverage for the battery stewardship organization, including  
47 environmental liability coverage that is commercially practicable.

48 (8) "Medium format battery" means the following primary or  
49 rechargeable covered batteries:

50 (A) For rechargeable batteries, a battery weighing more than eleven  
51 pounds but not more than twenty-five pounds or that has a rating of  
52 more than three hundred watt hours but not more than two thousand  
53 watt hours, or both;

54 (B) For primary batteries, a battery weighing more than four pounds  
55 and six ounces but not more than twenty-five pounds.

56 (9) "Portable battery" means the following primary or rechargeable  
57 covered batteries:

58 (A) For rechargeable batteries, a battery weighing not more than  
59 eleven pounds and that has a rating of not more than three hundred  
60 watt hours;

61 (B) For primary batteries, a battery weighing not more than four  
62 pounds and six ounces.

63 (10) "Primary battery" means a nonrechargeable battery, including,  
64 but not limited to, alkaline, silver oxide, zinc air, carbon-zinc and  
65 lithium metal batteries.

66 (11) "Producer" means:

67 (A) For covered batteries sold, offered for sale or distributed in or into  
68 this state:

69 (i) If the battery is sold, offered for sale or distributed in or into this  
70 state under the brand of the battery manufacturer, the producer is the  
71 person that manufactures the battery;

72 (ii) If the battery is sold, offered for sale or distributed in or into this  
73 state under a retail brand or under a brand owned by a person other  
74 than the manufacturer, the producer is the brand owner;

75 (iii) If there is no person to which subparagraph (A)(i) or (A)(ii) of this  
76 subdivision applies, the producer is the person that is the licensee of a  
77 brand or trademark under which the battery is sold, offered for sale or

78 distributed in or into this state, whether or not the trademark is  
79 registered in this state;

80 (iv) If there is no person described in subparagraphs (A)(i) to (A) (iii),  
81 inclusive, of this subdivision within the United States, the producer is  
82 the person who is the importer of record for the battery into the United  
83 States;

84 (v) If there is no person described in subparagraphs (A)(i) to (A)(iv),  
85 inclusive, of this subdivision with a commercial presence within the  
86 state, the producer is the person who first sells, offers for sale or  
87 distributes the battery in or into this state;

88 (B) For battery-containing products containing one or more covered  
89 batteries sold, offered for sale or distributed in or into this state:

90 (i) If the battery-containing product is sold, offered for sale or  
91 distributed in or into this state under the brand of the product  
92 manufacturer, the producer is the person that manufactures the  
93 product;

94 (ii) If the battery-containing product is sold, offered for sale or  
95 distributed in or into this state under a retail brand or under a brand  
96 owned by a person other than the manufacturer, the producer is the  
97 brand owner;

98 (iii) If there is no person to which subparagraph (B)(i) or (B)(ii) of this  
99 subdivision applies, the producer is the person that is the licensee of a  
100 brand or trademark under which the product is used in a commercial  
101 enterprise, sold, offered for sale or distributed in or into this state,  
102 whether or not the trademark is registered in this state;

103 (iv) If there is no person described in subparagraphs (B)(i) to (B)(iii),  
104 inclusive, of this subdivision within the United States, the producer is  
105 the person who is the importer of record for the product into the United  
106 States;

107 (v) If there is no person described in subparagraphs (B)(i) to (B)(iv),

108 inclusive, of this subdivision with a commercial presence within the  
109 state, the producer is the person who first sells, offers for sale or  
110 distributes the product in or into this state;

111 (C) A person is the producer of a covered battery or battery-  
112 containing product containing one or more covered batteries sold,  
113 offered for sale or distributed in or into this state, as defined in  
114 subparagraph (A) of this subdivision, except where another party has  
115 contractually accepted responsibility as a responsible producer and has  
116 joined a registered battery stewardship organization as the producer for  
117 that covered battery or battery-containing product containing one or  
118 more covered batteries under this section.

119 (12) "Program" means a program implemented by a battery  
120 stewardship organization consistent with an approved battery  
121 stewardship plan.

122 (13) "Rechargeable battery" means a battery that contains one or more  
123 voltaic or galvanic cells, electrically connected to produce electric  
124 energy, that is designed to be recharged.

125 (14) "Recycling" means recycling, reclamation or reuse as defined in  
126 section 22a-207 of the general statutes. For purposes of this section,  
127 recycling does not include: (A) Combustion; (B) incineration; (C) energy  
128 generation; (D) fuel production; or (E) beneficial reuse in the  
129 construction and operation of a solid waste landfill, including use as  
130 alternative daily cover.

131 (15) "Recycling efficiency rate" means the ratio of the weight of  
132 covered battery components and materials recycled by a program  
133 operator from covered batteries to the weight of covered batteries as  
134 collected by the program operator.

135 (16) "Retailer" means a person who sells covered batteries or battery-  
136 containing products containing one or more covered batteries in or into  
137 this state or offers, or otherwise makes available, covered batteries or  
138 battery-containing products containing one or more covered batteries to

139 a customer, including other businesses, in this state.

140 (17) "Commissioner" means the Commissioner of Energy and  
141 Environmental Protection.

142 (b) On or before January 1, 2027, for portable batteries and medium  
143 format batteries:

144 (1) Each producer selling, offering for sale or distributing covered  
145 batteries or battery-containing products containing one or more covered  
146 batteries in or into the state shall participate in an approved battery  
147 stewardship plan through participation in and the funding of a battery  
148 stewardship organization; and

149 (2) A producer that does not participate in a battery stewardship  
150 organization and battery stewardship plan may not sell covered  
151 batteries or battery-containing products covered by this section in or  
152 into this state.

153 (c) (1) On and after July 1, 2027, for portable batteries, and on and  
154 after July 1, 2028, for medium format batteries, no retailer shall sell, offer  
155 for sale, distribute or otherwise make available for sale a covered battery  
156 or battery-containing product containing one or more covered batteries  
157 unless the producer of the covered battery or battery-containing  
158 product is identified as a participant in a battery stewardship  
159 organization whose plan has been approved by the commissioner.

160 (2) No retailer shall be in violation of the requirements of subdivision  
161 (1) of this subsection if the web site made available by the department  
162 pursuant to this section lists, as of the date a product is made available  
163 for retail sale, a producer or brand of covered battery or battery-  
164 containing product containing one or more covered batteries sold by the  
165 retailer as being a participant in an approved battery stewardship plan  
166 or the implementer of an approved battery stewardship plan.

167 (3) Retailers of covered batteries or battery-containing products  
168 containing one or more covered batteries shall not be required to make

169 retail locations available to serve as collection sites for a battery  
170 stewardship program operated by a battery stewardship organization.  
171 Retailers that serve as a collection site shall comply with the  
172 requirements for collection sites in accordance with the provisions of  
173 this section.

174 (4) No retailer shall sell, offer for sale, distribute or otherwise make  
175 available for sale covered batteries, unless such batteries are marked  
176 consistent with the requirements of this section. Each producer of a  
177 battery-containing product containing a covered battery shall verify to  
178 the retailers of such product that the battery contained in the battery-  
179 containing product is marked consistent with the requirements of this  
180 section. A retailer may rely on such verification for purposes of  
181 compliance with this section.

182 (5) Any retailer selling or offering covered batteries or battery-  
183 containing products containing one or more covered batteries for sale in  
184 this state may provide information to consumers that is provided to the  
185 retailer by the battery stewardship organization regarding available  
186 end-of-life management options for covered batteries collected by the  
187 battery stewardship organization. Any such information that a battery  
188 stewardship organization makes available to retailers shall include, but  
189 not be limited to, in-store signage, written materials and other  
190 promotional materials that retailers may use to inform customers of the  
191 available end-of-life management options for covered batteries collected  
192 by the battery stewardship organization.

193 (6) No retailer, producer or battery stewardship organization shall  
194 charge a specific point-of-sale fee to consumers to cover the  
195 administrative or operational costs of the battery stewardship  
196 organization or the battery stewardship program.

197 (d) (1) On or before January 1, 2027, each producer of covered  
198 portable batteries or such producer's designee, including, but not  
199 limited to, a battery stewardship organization, shall notify the  
200 Commissioner of Energy and Environmental Protection, in writing,

201 whether the producer will act individually or jointly with other  
202 producers to submit a stewardship plan to the commissioner for the  
203 establishment of a state-wide battery stewardship program. On or  
204 before January 1, 2027, each producer of covered medium format  
205 batteries, or such producer's designee, including, but not limited to, a  
206 battery stewardship organization, shall notify the Commissioner of  
207 Energy and Environmental Protection, in writing, whether the producer  
208 will act individually or jointly with other producers to submit a  
209 stewardship plan to the commissioner for the establishment of a state-  
210 wide battery stewardship program.

211 (2) Not later than January 1, 2027, each battery stewardship  
212 organization shall submit a plan for covered portable and medium  
213 format batteries to the commissioner for approval. A battery  
214 stewardship organization may submit a plan at any time to the  
215 commissioner for review and approval. The commissioner shall review  
216 and may approve a plan based on whether it contains each of the  
217 following components:

218 (A) Contact information for each producer, battery brand and  
219 battery-containing product brand covered in the plan;

220 (B) A performance goals proposal consistent with this section,  
221 including establishing performance goals for each of the next three  
222 calendar years of program implementation;

223 (C) A description of how the battery stewardship organization will  
224 make retailers aware of their obligation to sell only covered batteries  
225 and battery-containing products containing one or more covered  
226 batteries of producers participating in an approved battery stewardship  
227 plan;

228 (D) A description of the education and communications strategy  
229 being implemented to effectively promote participation in the approved  
230 covered battery stewardship program and provide the information  
231 necessary for effective participation of consumers, retailers and others;



232 (E) A description of how the battery stewardship organization will  
233 make available to collection sites, for voluntary use, signage, written  
234 materials and other promotional materials that collection sites may use  
235 to inform consumers of the available end-of-life management options  
236 for covered batteries collected by the battery stewardship organization;

237 (F) Promotional activities to be undertaken, and the identification of  
238 consumer awareness goals and strategies that the battery stewardship  
239 program will employ to achieve such goals after the program is  
240 implemented;

241 (G) Collection site safety training procedures related to covered  
242 battery collection activities at collection sites, including operating  
243 protocols to reduce risks of spills or fires and response protocols in the  
244 event of a spill or fire, and a protocol for safe management of damaged  
245 batteries that are returned to collection sites;

246 (H) A description of the method to establish and administer a means  
247 for fully funding the program in a manner that equitably distributes the  
248 program's costs among the producers that are part of the battery  
249 stewardship organization. For producers that elect to meet the  
250 requirements of this section individually, without joining a battery  
251 stewardship organization, the plan shall describe the proposed method  
252 to establish and administer a means for fully funding such battery  
253 stewardship program;

254 (I) A description of the financing methods used to implement the  
255 battery stewardship plan, consistent with the provisions of this section;

256 (J) A description of how the battery stewardship program will collect  
257 all covered battery brands on a free, continuous, convenient, visible and  
258 accessible basis, including a description of how the program will  
259 provide for convenient collection for any municipality with a  
260 population of one hundred thousand or more people;

261 (K) A description of the criteria to be used in the battery stewardship  
262 program to determine whether an entity may serve as a collection site

263 for discarded batteries under the program;

264 (L) Collection goals for each of the first three years of implementation  
265 of the battery stewardship program that are based on the estimated total  
266 weight of primary and rechargeable covered batteries that have been  
267 sold in the state in the previous three calendar years by the producers  
268 participating in the battery stewardship plan;

269 (M) Identification of proposed sorters, transporters, processors and  
270 facilities to be used by the battery stewardship program for the final  
271 disposition of batteries and how environmentally sound management  
272 practices will be applied throughout the management of collected  
273 batteries;

274 (N) Details of how the battery stewardship program will achieve a  
275 recycling efficiency rate, calculated consistent with this section of not  
276 less than sixty per cent for rechargeable batteries and not less than  
277 seventy per cent for primary batteries; and

278 (O) Goals for increasing public awareness of the program and  
279 descriptions of how the public education and outreach components of  
280 the battery stewardship program will be implemented.

281 (3) Each battery stewardship organization shall submit a new plan to  
282 the commissioner for approval upon request of the commissioner. The  
283 commissioner may identify the types of significant changes that require  
284 a new plan to be submitted to the commissioner for approval.

285 (4) Each battery stewardship organization shall provide plan  
286 amendments to the commissioner for approval whenever:

287 (A) Changes are proposed to the performance goals of the battery  
288 stewardship program based on performance of such program;

289 (B) There is a change to the method of financing the battery  
290 stewardship plan implementation, including changes to the fees or fee  
291 structure established in the battery stewardship plan; or

292 (C) There is an addition or removal of a sorter, processor or  
293 transporter under the stewardship plan.

294 (5) The commissioner shall review a battery stewardship plan or  
295 amendment for compliance with this section and shall approve,  
296 disapprove or conditionally approve such plan, in writing, not later than  
297 one hundred twenty days after receipt of such plan. If the commissioner  
298 disapproves a battery stewardship plan submitted by a battery  
299 stewardship organization, the commissioner shall explain how the  
300 stewardship plan does not comply with this section. The battery  
301 stewardship organization shall resubmit to the commissioner a revised  
302 stewardship plan not later than sixty days after the date the written  
303 notice was issued and the commissioner shall review the revised  
304 stewardship plan not later than ninety days after resubmittal. In the  
305 event that the commissioner disapproves the plan because it does not  
306 meet the requirements of this section, the commissioner shall describe  
307 the reasons for the disapproval in a notice of determination that the  
308 commissioner shall provide to the producer, or the producer's designee.  
309 Such producer, or producer's designee, shall revise and resubmit the  
310 plan to the commissioner not later than forty-five days after receipt of  
311 the commissioner's notice of disapproval. Such producer, or producer's  
312 designee, may resubmit a revised plan to the commissioner for approval  
313 on not more than two occasions. If the producer, or the producer's  
314 designee, fails to submit a plan that is acceptable to the commissioner  
315 because it does not meet the requirements of this section, the  
316 commissioner shall modify a submitted plan to make it conform to the  
317 requirements of this section and approve it.

318 (6) Whenever a battery stewardship plan or an amendment that  
319 makes substantive changes to an approved plan is submitted under this  
320 section, the commissioner shall make the proposed plan or amendment  
321 available for public review and comment for not less than thirty days.

322 (7) Each battery stewardship organization shall provide written  
323 notification to the commissioner not later than thirty days after a  
324 producer begins or ends participation in a battery stewardship

325 organization.

326 (e) (1) Each battery stewardship plan shall include performance goals  
327 that measure, on an annual basis, the achievements of the battery  
328 stewardship program, including: (A) The collection rate for batteries in  
329 the state; (B) the recycling efficiency rate of the battery stewardship  
330 program; and (C) public awareness of the battery stewardship program.

331 (2) The performance goals established in each battery stewardship  
332 plan shall include, but need not be limited to:

333 (A) Target collection rates for primary batteries and for rechargeable  
334 batteries;

335 (B) Target recycling efficiency rates of not less than sixty per cent for  
336 rechargeable batteries and not less than seventy per cent for primary  
337 batteries; and

338 (C) Goals for public awareness, convenience and accessibility that  
339 meet or exceed the minimum requirements established in this section.

340 (f) (1) Each battery stewardship organization shall ensure adequate  
341 funding is available to fully implement an approved battery  
342 stewardship plan, including the implementation of aspects of the plan  
343 addressing: (A) Battery collection, transporting and processing; (B)  
344 education and outreach; (C) program evaluation; and (D) payment of  
345 the administrative fees to the department in accordance with the  
346 provisions of this section.

347 (2) Each battery stewardship organization that implements a battery  
348 stewardship plan on behalf of producers shall develop a system to  
349 collect charges from participating producers to cover the costs of the  
350 plan's implementation.

351 (3) (A) Each battery stewardship organization shall be responsible for  
352 all costs of participating covered battery collection, transportation,  
353 processing, education, administration, department reimbursement,  
354 recycling and end-of-life management in accordance with the

355 requirements of this section.

356 (B) Each battery stewardship organization shall meet the collection  
357 goals established in the approved battery stewardship plan.

358 (C) No battery stewardship organization shall reduce or cease  
359 collection, education and outreach, or other activities implemented  
360 under an approved battery stewardship plan based on achievement of  
361 program performance goals.

362 (4) (A) Each battery stewardship organization shall reimburse local  
363 governments for demonstrable costs incurred as a result of a local  
364 government facility or solid waste handling facility serving as a  
365 collection site for a battery stewardship program, including, but not  
366 limited to, associated labor costs and other costs associated with  
367 accessibility and collection site standards such as storage.

368 (B) Each battery stewardship organization shall, at a minimum,  
369 provide collection sites with appropriate containers for covered  
370 batteries subject to its battery stewardship program, training, signage,  
371 safety guidance and educational materials, at no cost to the collection  
372 sites.

373 (g) (1) Each battery stewardship organization that implements a  
374 battery stewardship plan shall provide for the collection of all covered  
375 batteries, including all chemistries and brands of covered batteries, on a  
376 free, continuous, convenient, visible and accessible basis to any person,  
377 business, government department or nonprofit organization. Except as  
378 otherwise provided in this subsection, each battery stewardship plan  
379 shall provide for the collection of each chemistry and brand of covered  
380 battery from any person, business, government department or nonprofit  
381 organization at each collection site that counts toward the satisfaction of  
382 the collection site criteria described in this section.

383 (2) (A) For each collection site utilized by a battery stewardship  
384 program, each battery stewardship organization shall provide suitable  
385 collection containers for covered batteries that are segregated from other

386 solid waste or make mutually agreeable alternative arrangements for  
387 the collection of batteries at the site. The location of collection containers  
388 at each collection site used by the battery stewardship program shall be  
389 within view of a responsible person and shall be accompanied by  
390 signage made available to the collection site by the battery stewardship  
391 organization that informs customers regarding the end-of-life  
392 management options for batteries provided by the collection site under  
393 this section. Each collection site shall meet applicable federal, state and  
394 local regulatory requirements and adhere to the operations manual and  
395 other safety information provided to the collection site by the battery  
396 stewardship organization.

397 (B) Medium format batteries may only be collected at household  
398 hazardous waste collection sites or other staffed collection sites that  
399 meet applicable federal, state and local regulatory requirements to  
400 manage medium format batteries.

401 (C) (i) Damaged and defective batteries shall be collected at collection  
402 sites, other than retail locations, that are staffed by persons trained to  
403 handle and ship such batteries.

404 (ii) Each battery stewardship organization shall provide for collection  
405 of damaged and defective batteries at each permanent household  
406 hazardous waste facility in the state, at each household hazardous waste  
407 collection event and at any participating permitted transfer stations that  
408 are staffed by persons trained to handle and ship such batteries.

409 (iii) As used in this subparagraph, "damaged and defective batteries"  
410 means batteries that have been damaged or identified by the  
411 manufacturer as being defective for safety reasons and that have the  
412 potential of producing a dangerous evolution of heat, fire or short  
413 circuit, as referred to in 49 CFR 173.185(f) as of January 1, 2025, or as  
414 updated by the department by regulations adopted in accordance with  
415 the provisions of chapter 54 of the general statutes to maintain  
416 consistency with federal standards.

417 (3) Each battery stewardship organization that implements a battery

418 stewardship plan shall ensure state-wide collection opportunities for all  
419 covered batteries. Battery stewardship organizations shall coordinate  
420 activities with other program operators, including covered battery  
421 collection and recycle programs and electronic waste recyclers, with  
422 regard to the proper management or recycling of collected covered  
423 batteries, for purposes of providing the efficient delivery of services and  
424 avoiding unnecessary duplication of effort and expense. State-wide  
425 collection opportunities shall be determined by geographic information  
426 modeling that considers permanent collection sites. A battery  
427 stewardship program may rely, in part, on collection events to  
428 supplement the permanent collection services required in this  
429 subsection, provided only permanent collection services specified in  
430 this subsection shall qualify toward the satisfaction of the requirements  
431 of this subsection.

432       (4) (A) Each battery stewardship program shall use existing public  
433 and private waste collection services and facilities, including battery  
434 collection sites that are established through other battery collection  
435 services, transporters, consolidators, processors and retailers, where  
436 such use is cost effective, mutually agreeable and otherwise practicable.

437       (B) (i) Any municipality, solid waste management facility or  
438 household hazardous waste facility that meets the criteria for collection  
439 sites in the approved stewardship plan shall be included in the program  
440 upon the submission of a request to the battery stewardship  
441 organization to serve as a collection site. Each battery stewardship  
442 program shall use as a collection site for covered batteries any retailer  
443 or wholesaler that meets the criteria for collection sites in the approved  
444 battery stewardship plan up to the minimum number of sites required  
445 for compliance with the approved plan, upon the submission of a  
446 request by an entity to the battery stewardship organization to serve as  
447 a collection site. Each battery stewardship program may use additional  
448 collection sites in excess of the minimum required in this subsection, as  
449 may be agreed between the battery stewardship organization and the  
450 collection site.

451 (ii) Each battery stewardship program shall use as a site for a  
452 collection event for covered batteries any retailer, wholesaler,  
453 municipality, solid waste management facility, household hazardous  
454 waste facility or other entity that meets the criteria for collection events  
455 in the approved plan upon the submission of a request by the entity to  
456 the battery stewardship organization to serve as a site for a collection  
457 event. Each battery stewardship program may use additional sites for  
458 collection events in excess of the minimum required in this subsection,  
459 as may be agreed between the battery stewardship organization and the  
460 collection site.

461 (C) Each battery stewardship organization may issue a warning to  
462 suspend or terminate a collection site or service that does not adhere to  
463 the collection site criteria in the approved battery stewardship plan or  
464 that poses an immediate health and safety concern.

465 (5) (A) No battery stewardship program shall be required to provide  
466 for the collection of battery-containing products.

467 (B) No battery stewardship program shall be required to provide for  
468 the collection of batteries that: (i) Are not easily removable from the  
469 product other than by the manufacturer; and (ii) remain contained in a  
470 battery-containing product at the time of delivery to a collection site.

471 (C) Each battery stewardship program shall provide for the collection  
472 of loose batteries.

473 (h) (1) Each battery stewardship organization shall carry out  
474 promotional activities in support of the battery stewardship plan  
475 implementation, including, but not limited to, the development and (A)  
476 maintenance of a web site; (B) distribution of periodic press releases and  
477 articles; (C) placement of advertisements for use on social media or  
478 other relevant media platforms; (D) distribution of promotional  
479 materials about the battery stewardship program and the restriction on  
480 the disposal of covered batteries to be used by persons, including, but  
481 not limited to, retailers, government agencies, waste and recycling  
482 collectors and nonprofit organizations; (E) distribution of collection site



483 safety training procedures that are in compliance with state law to  
484 collection sites to help ensure proper management of covered batteries  
485 at collection sites; and (F) implementation of outreach and educational  
486 resources that are conceptually, linguistically and culturally accurate for  
487 the communities served and that reach the state's diverse ethnic  
488 populations, including through meaningful consultation with  
489 communities that bear disproportionately higher levels of adverse  
490 environmental and social justice impacts.

491 (2) Each battery stewardship organization shall provide:

492 (A) Consumer-focused educational promotional materials to each  
493 collection site used by the battery stewardship program and that are  
494 accessible by customers of retailers that sell covered batteries or battery-  
495 containing products containing one or more covered batteries; and

496 (B) Safety information related to covered battery collection activities  
497 to the operator of each collection site, including appropriate protocols  
498 to reduce risks of spills or fires, response protocols in the event of a spill  
499 or fire and response protocols in the event of detection of a damaged or  
500 defective battery.

501 (3) (A) Each battery stewardship organization shall provide  
502 educational materials to the operator of each collection site for the  
503 management of recalled batteries, which are not intended to be part of  
504 collection, to help facilitate transportation and processing of recalled  
505 batteries.

506 (B) Each battery stewardship organization may seek reimbursement  
507 from the producer of the recalled battery for expenses incurred in the  
508 collection, transportation or processing of such batteries.

509 (4) Upon request by a retailer or other potential collector, the battery  
510 stewardship organization shall provide the retailer or other potential  
511 collector educational materials describing collection opportunities for  
512 batteries.

513 (5) If multiple battery stewardship organizations are implementing  
514 plans approved by the commissioner, the battery stewardship  
515 organizations shall coordinate in carrying out their education and  
516 outreach responsibilities under this section and shall include in their  
517 annual reports to the commissioner a summary of their coordinated  
518 education and outreach efforts.

519 (6) During the first year of a battery stewardship program's  
520 implementation and every five years thereafter, each battery  
521 stewardship organization shall carry out a survey of public awareness  
522 regarding the requirements of the battery stewardship program  
523 established under this section. Each battery stewardship organization  
524 shall share the results of such public awareness surveys with the  
525 commissioner.

526 (i) (1) Not later than June 1, 2029, and each June first thereafter, each  
527 battery stewardship organization shall submit an annual report to the  
528 commissioner covering the preceding calendar year of the battery  
529 stewardship program. Such report shall include:

530 (A) An independent financial audit of the battery stewardship  
531 program implemented by the battery stewardship organization,  
532 including a breakdown of the program's expenses, such as collection  
533 costs, recycling costs, education costs and overhead;

534 (B) A summary financial statement that documents the financing of  
535 the battery stewardship organization's program and an analysis of  
536 program costs and expenditures, including an analysis of the program's  
537 expenses, such as collection costs, transportation costs, recycling costs,  
538 education costs and administrative overhead costs. Each summary  
539 financial statement shall be sufficiently detailed to provide transparency  
540 as to whether funds collected from producers as a result of their  
541 activities in the state are spent on program implementation in the state.  
542 Each battery stewardship organization that implements similar battery  
543 stewardship programs in multiple states may submit a financial  
544 statement including all covered states, provided the statement breaks

545 out financial information pertinent to this state;

546 (C) The weight, by chemistry, of covered batteries collected under the  
547 battery stewardship program;

548 (D) The weight of materials recycled from covered batteries collected  
549 under the program, in total, and by method of battery recycling;

550 (E) A calculation of the recycling efficiency rates;

551 (F) A list of all facilities used in the processing or disposition of  
552 batteries, including identification of the facility's location and whether  
553 the facility is located domestically, in an organization for economic  
554 cooperation and development country or in a country that meets  
555 organization for economic cooperation and development operating  
556 standards. For domestic facilities, such report shall provide a summary  
557 of any violations of environmental laws and regulations over the  
558 previous three years at each such facility;

559 (G) For each facility used for the final disposition of batteries, a  
560 description of how the facility recycled or otherwise disposed of  
561 batteries and battery components;

562 (H) The weight and chemistry of batteries sent to each facility used  
563 for the final disposition of batteries. Such information may be  
564 approximated for program operations in the state based on  
565 extrapolations of national or regional data for programs in operation in  
566 multiple states;

567 (I) The collection rate achieved under the program, including a  
568 description of how the collection rate was calculated and how it  
569 compares to the collection rate goals established in this section;

570 (J) The estimated aggregate sales, by weight and chemistry, of  
571 batteries and batteries contained in or with battery-containing products  
572 sold in the state by participating producers for each of the previous three  
573 calendar years;

574       (K) A description of the manner in which the collected batteries were  
575 managed and recycled, including a discussion of best available  
576 technologies and the recycling efficiency rate;

577       (L) A description of education and outreach efforts supporting plan  
578 implementation including, but not limited to, a summary of education  
579 and outreach provided to consumers, collection sites, manufacturers,  
580 distributors and retailers by the battery stewardship program operator  
581 for the purpose of promoting the collection and recycling of covered  
582 batteries, a description of how that education and outreach met the  
583 requirements of this section, samples of education and outreach  
584 materials, a summary of coordinated education and outreach efforts  
585 with any other battery stewardship organizations implementing a  
586 battery stewardship plan approved by the commissioner and a  
587 summary of any changes made during the previous calendar year to  
588 education and outreach activities;

589       (M) A list of all collection sites and an address for each listed site  
590 including an up-to-date map indicating the location of all collection sites  
591 used to implement the program, with links to appropriate web sites if  
592 there are existing web sites associated with a site;

593       (N) A description of methods used to collect, transport and recycle  
594 covered batteries by the battery stewardship organization;

595       (O) A summary on progress made toward the program performance  
596 goals established under this section and an explanation of why  
597 performance goals were not met, if applicable; and

598       (P) An evaluation of the effectiveness of education and outreach  
599 activities.

600       (2) The weight of batteries or recovered resources from such batteries  
601 shall only be counted once and may not be counted by more than one  
602 battery stewardship organization.

603       (3) If a battery stewardship organization has disposed of covered

604 batteries though energy recovery, incineration or landfilling during the  
605 preceding calendar year of program implementation, the annual report  
606 shall specify the steps that the battery stewardship organization will  
607 take to make the recycling of covered batteries cost effective, where  
608 possible, or to otherwise increase battery recycling rates achieved by the  
609 battery stewardship organization.

610 (4) Any proprietary information submitted to the commissioner  
611 under this section shall be exempt from disclosure under chapter 14 of  
612 the general statutes.

613 (j) The Commissioner of Energy and Environmental Protection may  
614 assess a reasonable annual fee to any battery stewardship organization  
615 that shall not exceed fifty thousand dollars annually for the  
616 administration and enforcement of this section.

617 (k) The department shall maintain an Internet web site that lists  
618 producers and their brands that are participating in an approved plan,  
619 and make available to the public each plan, plan amendment and annual  
620 report received by the commissioner after the approval or receipt of  
621 notice from a battery stewardship organization of changes to the  
622 producers and brands participating under an approved battery  
623 stewardship plan.

624 (l) (1) Any person who violates any provision of this section shall be  
625 liable for a civil penalty of seven thousand dollars per violation, except  
626 that the failure to pay a fee under the provisions of this section shall  
627 cause the person who fails to pay such fee to be liable for a civil penalty  
628 that is double the applicable fee.

629 (2) The penalties provided for in this subsection may be recovered in  
630 a civil action brought by the Attorney General.

631 (3) The Attorney General may institute a civil action for the  
632 enforcement of any provision of this section.

633 (4) The penalties and injunctions provided in this subsection are in

634 addition to any penalties, injunctions or other relief provided under any  
635 other provision of the general statutes. Nothing in this subsection shall  
636 be construed to prohibit a cause of action by the state for any other  
637 penalty, injunction or other relief provided by any other provision of  
638 law.

639 (5) Any person who knowingly makes a false, fictitious or fraudulent  
640 material written statement, under oath, related to or required by this  
641 section or any rule adopted under this section, shall be guilty of a class  
642 A misdemeanor.

643 (6) Notwithstanding the provisions of this subsection, no penalty  
644 may be assessed against an individual for the improper disposal of  
645 covered batteries in a noncommercial or residential setting.

646 (m) (1) On and after January 1, 2028, each producer or retailer may  
647 only sell, offer for sale or distribute in or into the state a covered battery  
648 or battery-containing product containing one or more covered batteries  
649 if the battery is marked with an identification of the producer of the  
650 battery, unless the battery is less than one-half inch in diameter or does  
651 not contain a surface that exceeds one-half inch. On and after January 1,  
652 2030, such battery shall be marked with proper labeling to ensure proper  
653 collection and recycling, by identifying the chemistry of the battery and  
654 including an indication that the battery should not be disposed of as  
655 household waste unless the battery is less than one-half inch diameter  
656 or does not contain a surface that exceeds one-half inch.

657 (2) Each producer shall verify to its customers, or to the retailer if the  
658 retailer is not the customer, that the requirements of this subsection have  
659 been met.

660 (n) (1) Any battery stewardship organization that implements an  
661 approved battery stewardship plan in compliance with the  
662 requirements of this section may bring a civil action against a producer  
663 for damages when:

664 (A) Such organization incurs more than one thousand dollars in

665 actual costs from collecting, handling, recycling and properly disposing  
666 of the defendant producer's batteries sold or offered for sale in the state;  
667 and

668 (B) The defendant producer is not in compliance with the  
669 requirements of this section.

670 (2) For the purposes of this subsection, "damages" includes:

671 (A) The actual costs a plaintiff battery stewardship organization  
672 incurs in collecting, handling, recycling or properly disposing of  
673 batteries reasonably identified as having originated from another  
674 battery producer or battery stewardship organization; and

675 (B) Reasonable attorneys' fees and costs associated with bringing  
676 such civil action.

677 (o) (1) No person shall dispose of any lithium-ion battery in any solid  
678 waste landfill facility or incinerator.

679 (2) No owner or operator of a solid waste landfill or incinerator shall  
680 be found to have knowingly disposed of any lithium-ion battery if such  
681 owner or operator has implemented mechanisms to avoid such disposal  
682 at such facility or incinerator. Such mechanisms shall include, at a  
683 minimum: (A) Posting informational signs at the facility or incinerator  
684 that provide notice of the disposal prohibition contained in this  
685 subsection; or (B) providing written notification to, or entering into  
686 agreements with, such facility's or incinerator's customers regarding the  
687 disposal prohibition described in this subsection.

688 (3) Each municipality, solid waste district and owner or operator of a  
689 solid waste landfill facility or incinerator shall make available  
690 educational materials on safe handling and recycling of lithium-ion  
691 batteries and provide recycling opportunities for such batteries and  
692 devices.

693 (p) Nothing in this section shall prevent or prohibit any person from  
694 offering or performing a fee-based household collection or a mail-back

695 program for end-of-life portable batteries or medium format batteries  
696 independent of a battery stewardship program, provided such person's  
697 services shall be performed, and such person's facilities shall be  
698 operated, in compliance with all applicable federal, state and local laws  
699 and requirements, including, but not limited to, all applicable United  
700 States Department of Transportation regulations, and all applicable  
701 provisions of the Environmental Protection Act.

702 (q) Each producer, retailer and the battery stewardship organization  
703 shall be immune from liability for any claim of a violation of antitrust  
704 law or unfair trade practice if such conduct is a violation of antitrust law,  
705 to the extent such producer or organization is exercising authority  
706 pursuant to the provisions of this section.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2025	New section

**ENV**      *Joint Favorable Subst.*

**JUD**      *Joint Favorable*