

**IC 13-20.5**

**ARTICLE 20.5. ELECTRONIC WASTE**

**IC 13-20.5-1**

**Chapter 1. Registration Programs**

**IC 13-20.5-1-1**

**Registration deadlines; information to be included in registration; updates**

Sec. 1. (a) "Program year", for purposes of this chapter, means a calendar year.

(b) A manufacturer of video display devices sold or offered for sale to households as of January 1, 2010, shall submit a registration to the department not later than:

- (1) April 1, 2010, for the program year that begins on April 1, 2010; and
- (2) each immediately succeeding January 1 on which the manufacturer continues as a manufacturer of video display devices sold or offered for sale to households for the program year that begins on that January 1.

(c) A manufacturer that begins to sell or offer for sale video display devices to households after 2009 and before April 1, 2010, shall submit a registration to the department not later than:

- (1) April 20, 2010, for the program year that begins on April 1, 2010; and
- (2) each immediately succeeding January 1 on which the manufacturer continues as a manufacturer of video display devices sold or offered for sale to households for the program year that begins on that January 1.

(d) A manufacturer that begins to sell or offer for sale video display devices to households after March 31, 2010, shall submit a registration to the department not later than:

- (1) twenty (20) days after the date the manufacturer begins to sell or offer for sale the video display devices for the program year in which the manufacturer begins to sell or offer for sale the video display devices; and
- (2) each immediately succeeding January 1 on which the manufacturer continues as a manufacturer of video display devices sold or offered for sale to households for the program year that begins on that January 1.

(e) A registration submitted under this section must include the following:

- (1) A list of the brands of video display devices offered for sale in Indiana by the manufacturer, regardless of whether the manufacturer owns or licenses the brand.
- (2) The name, address, and contact information of a person responsible for ensuring compliance with this article. The department shall post the contact information provided by each

manufacturer on an Internet web site.

(3) A certification that the manufacturer or the manufacturer's agent has complied and will continue to comply with the requirements of this article.

(4) An estimate based on national sales data of the total weight in pounds of the manufacturer's video display devices sold to households during the most recent twelve (12) months:

(A) that precede the date of registration; and

(B) for which that data is available.

(5) A demonstration of how the manufacturer plans in the program year for which the registration is submitted to meet the recycling goal stated in IC 13-20.5-4-1.

(6) A statement that discloses whether:

(A) any video display devices sold by the manufacturer to households exceed the maximum concentration values established:

(i) for lead, mercury, cadmium, hexavalent chromium, polybrominated biphenyls (pbbs), and polybrominated diphenyl ethers (pbdes); and

(ii) under the directive restricting the use of certain hazardous substances in electrical and electronic equipment (RoHS Directive) 2002/95/EC of the European Parliament and Council, as amended; or

(B) the manufacturer has received an exemption from any of the maximum concentration values under the RoHS Directive that has been approved and published by the European Commission.

(f) A manufacturer shall update the manufacturer's registration under this section not more than ten (10) days after the date the manufacturer changes the brand or brands of video display devices the manufacturer sells or offers for sale to households.

*As added by P.L.178-2009, SEC.27. Amended by P.L.37-2012, SEC.41.*

#### **IC 13-20.5-1-2**

##### **Requirements for sale of video display devices from manufacturer to retailer**

Sec. 2. After 2009, a manufacturer may not sell, offer for sale, or deliver to a retailer for subsequent sale a new video display device unless:

(1) the video display device is labeled with the manufacturer's brand that is permanently affixed and readily visible; and

(2) the manufacturer has submitted a registration to the department under section 1 of this chapter.

*As added by P.L.178-2009, SEC.27.*

#### **IC 13-20.5-1-3**

##### **Registration applies to program year; department review and listing of manufacturers and brands**

Sec. 3. (a) A registration received from a manufacturer by the department under this chapter is, except as provided in subsection (b), effective for the program year for which the registration is submitted under section 1 of this chapter.

(b) The department shall review each registration and notify a manufacturer of any information required by this chapter that is omitted from the manufacturer's registration. Not more than thirty (30) days after the date a manufacturer receives notification from the department concerning incomplete information in the manufacturer's registration, the manufacturer shall submit a revised registration that includes the information required by the department. A registration received from a manufacturer by the department under this subsection is, unless the manufacturer receives a second or subsequent notification from the department concerning incomplete information, effective for the program year for which the registration is submitted under section 1 of this chapter.

(c) The department shall maintain on an Internet web site the names of manufacturers and the manufacturers' brands listed in registrations submitted to the department. The department shall update the Internet web site information promptly upon receipt of a new or updated registration. The Internet web site must contain prominent language stating that:

- (1) this article is directed at video display devices used by households; and
- (2) the manufacturers' brands list is not a list of manufacturers qualified to sell to industrial, commercial, or other markets identified as exempt from the requirements of this article.

*As added by P.L.178-2009, SEC.27.*

#### **IC 13-20.5-1-4**

##### **Requirements to operate as collector; effective period of registration**

Sec. 4. (a) After 2009, a person may not operate as a collector of covered electronic devices from covered entities unless the person:

- (1) has submitted to the department a completed registration form as required by 329 IAC 16-5-1; and
- (2) otherwise complies with 329 IAC 16.

(b) A registration submitted under this section:

- (1) is effective upon receipt by the department; and
- (2) must be submitted not later than November 1 for the next program year.

*As added by P.L.178-2009, SEC.27. Amended by P.L.37-2012, SEC.42.*

#### **IC 13-20.5-1-5**

##### **Requirements to operate as recycler; effective period of registration**

Sec. 5. (a) After 2009, a person may not recycle covered electronic devices generated by covered entities unless the person:

(1) has submitted to the department a completed registration form as required by 329 IAC 16-5-1; and

(2) otherwise complies with 329 IAC 16.

(b) A registered recycler may conduct recycling activities that are consistent with this article.

(c) A registration submitted under this section:

(1) is effective upon receipt by the department; and

(2) must be submitted not later than November 1 for the next program year.

*As added by P.L.178-2009, SEC.27. Amended by P.L.37-2012, SEC.43.*

#### **IC 13-20.5-1-6**

##### **Department may revoke collector or recycler registration**

Sec. 6. The department may revoke the registration of a collector or recycler that violates either or both of the following:

(1) This article.

(2) 329 IAC 16.

*As added by P.L.178-2009, SEC.27.*

## **IC 13-20.5-2**

### **Chapter 2. Manufacturer's Registration Fee; Electronic Waste Fund**

#### **IC 13-20.5-2-1**

##### **Registration fee; variable recycling fee and formula for determination; recycling credits; fee exception**

Sec. 1. (a) Except as provided in subsection (g), a manufacturer that registers under IC 13-20.5-1 shall pay to the department at the time of registration an annual registration fee. The registration fee applies for the program year for which the registration is submitted to the department. The department shall deposit the fee in the electronic waste fund established by section 3 of this chapter.

(b) The registration fee for the initial program year to which the fee applies under subsection (a) is five thousand dollars (\$5,000). For each program year thereafter, the registration fee is equal to two thousand five hundred dollars (\$2,500).

(c) In addition to the registration fee under subsection (a), a manufacturer that registers under IC 13-20.5-1 and fails to meet the recycling goal under IC 13-20.5-4-1 is subject to a variable recycling fee for each program year that ends on March 31 of 2013 or December 31 of a later year. Not later than September 1, the department shall provide a statement to each manufacturer liable for the variable recycling fee that states at least the following:

- (1) The amount of the fee determined under subsection (d).
- (2) The method of calculation of the fee.
- (3) The due date of the fee.
- (4) The opportunity to petition under section 2 of this chapter.

The department shall deposit the fee in the Indiana recycling promotion and assistance fund established by IC 4-23-5.5-14.

(d) The amount of the variable recycling fee, if applicable, is the amount determined in STEP FOUR of the following formula:

STEP ONE: Multiply the number of pounds of the manufacturer's video display devices sold to households during the immediately preceding program year, as reported in the manufacturer's registration for the program year under IC 13-20.5-1-1(e)(4), by the proportion of sales of video display devices required to be recycled under IC 13-20.5-4-1.

STEP TWO: Subject to subsection (e), add the number of pounds of covered electronic devices recycled by the manufacturer from covered entities during the immediately preceding program year, as reported to the department under IC 13-20.5-3-1(a), to the number of recycling credits the manufacturer elects to use to calculate the variable recycling fee, as reported to the department under IC 13-20.5-3-1(b)(2).

STEP THREE: Subtract the number of pounds determined in STEP TWO from the number of pounds determined in STEP ONE.

STEP FOUR: Multiply the greater of zero (0) or the number of pounds determined in STEP THREE by the per pound cost of recycling established as follows:

(A) Forty cents (\$0.40) per pound for manufacturers that recycle less than fifty percent (50%) of the number of pounds determined in STEP ONE.

(B) Thirty cents (\$0.30) per pound for manufacturers that recycle at least fifty percent (50%) but less than ninety percent (90%) of the number of pounds determined in STEP ONE.

(C) Twenty cents (\$0.20) per pound for manufacturers that recycle at least ninety percent (90%) of the number of pounds determined in STEP ONE.

(e) The following apply to the number of pounds of covered electronic devices recycled by the manufacturer from covered entities during the immediately preceding program year for purposes of subsection (d), STEP TWO:

(1) Except as provided in subdivision (3), the number is multiplied by one and one-tenth (1.1) to the extent that the covered electronic devices were recycled in Indiana.

(2) Except as provided in subdivision (3), the number is multiplied by one and five-tenths (1.5) to the extent that the covered electronic devices were recycled from covered entities not located in a metropolitan statistical area, as defined by the federal Office of Management and Budget.

(3) The number is multiplied by one and six-tenths (1.6) to the extent that the covered electronic devices were:

(A) recycled from covered entities not located in a metropolitan statistical area, as defined by the federal Office of Management and Budget; and

(B) recycled in Indiana.

(f) A manufacturer may retain recycling credits to be added, in whole or in part, to the actual number of pounds of covered electronic devices recycled by the manufacturer from covered entities during the immediately preceding program year, as reported to the department under IC 13-20.5-3-1(a), during any of the three (3) immediately succeeding program years. A manufacturer may sell all or any part of its recycling credits to another manufacturer, at a price negotiated by the parties, and the other manufacturer may use the credits in the same manner. For purposes of this subsection, the recycling credits for the program year that begins April 1, 2010, are determined taking into account covered electronic devices that the manufacturer recycled, or arranged to have collected and recycled, both:

(1) in that program year; and

(2) after June 30, 2009, and before April 1, 2010.

(g) A manufacturer may not be charged a registration fee or a variable recycling fee for any year in which the combined number of video display devices produced by the manufacturer for sale to households is less than one hundred (100).

*As added by P.L.178-2009, SEC.27. Amended by P.L.37-2012, SEC.44; P.L.147-2015, SEC.20.*

### **IC 13-20.5-2-2**

#### **Petition for relief from variable recycling fee**

Sec. 2. Not later than sixty (60) days after the date of the statement provided to a manufacturer under section 1(c) of this chapter, the manufacturer may petition the Indiana recycling market development board created by IC 4-23-5.5-2 for relief from the variable recycling fee imposed under section 1 of this chapter upon showing of good cause. In determining whether to grant a petition for relief under this section, the Indiana recycling market development board shall determine whether the manufacturer has made good faith progress to achieve substantial compliance with this article. A determination by the Indiana recycling market development board under this subsection is not subject to appeal by the manufacturer.

*As added by P.L.178-2009, SEC.27.*

### **IC 13-20.5-2-3**

#### **Electronic waste fund; administration; refunds to manufacturers**

Sec. 3. (a) The electronic waste fund is established to implement this article. The fund shall be administered by the department.

(b) The expenses of administering the fund shall be paid from money in the fund.

(c) The treasurer of state shall invest the money in the fund not currently needed to meet the obligations of the fund in the same manner as other public money may be invested. Interest that accrues from these investments shall be deposited in the fund.

(d) Money in the fund at the end of a state fiscal year does not revert to the state general fund.

(e) Beginning in 2011 and continuing each year thereafter, as of the last day of the state fiscal year, the department shall determine the total amount of the variable recycling fees that were collected for that state fiscal year under section 1(c) of this chapter.

(f) Except as provided in subsection (g), if the total amount of registration fees collected by the department for a state fiscal year under section 1(a) of this chapter exceeds the amount the department determines necessary to administer this article for the next state fiscal year, the department shall refund on a pro rata basis, to all manufacturers that paid any fees for the state fiscal year that contributed to those collections, the amount of fees collected by the department that exceeds the amount necessary to administer this article for the next state fiscal year.

(g) The department is not required to refund amounts under subsection (f) if either or both of the following apply:

(1) The refund amount determined under subsection (f) is less than one hundred dollars (\$100).

(2) The amount the manufacturer claiming the refund recycled for the manufacturer's most recent program year was less than

fifty percent (50%) of the amount the manufacturer was required to recycle for that program year under IC 13-20.5-4-1.  
*As added by P.L.178-2009, SEC.27.*



### **IC 13-20.5-3**

#### **Chapter 3. Reporting Requirements**

##### **IC 13-20.5-3-1**

###### **Reports from manufacturers to the department**

Sec. 1. (a) Not later than June 1 of 2011 and of each immediately succeeding year, a manufacturer shall report to the department the total weight in pounds of covered electronic devices the manufacturer:

- (1) collected from eligible entities and recycled; or
- (2) arranged to have collected from eligible entities and recycled;

during the program year that ends on the immediately preceding December 31.

(b) Not later than June 1 of 2011 and of each immediately succeeding year, a manufacturer shall report the following to the department:

- (1) The number of recycling credits the manufacturer has purchased and sold during the program year that ends on the immediately preceding December 31.
- (2) The number of recycling credits possessed by the manufacturer that the manufacturer intends to use in the calculation of its variable recycling fee under IC 13-20.5-2-1.
- (3) The number of recycling credits the manufacturer retains at the beginning of the current program year.
- (4) The amount in pounds of covered electronic devices the manufacturer arranged for a recycler to collect and recycle that were not converted to recycling credits.

*As added by P.L.178-2009, SEC.27. Amended by P.L.37-2012, SEC.45; P.L.147-2015, SEC.21.*

##### **IC 13-20.5-3-2**

###### **Reports by recycler to the department**

Sec. 2. Before April 1, 2011, and not later than each April 1 thereafter, a recycler of covered electronic devices shall do the following:

- (1) Report to the department separately the total weight in pounds of covered electronic devices:
  - (A) recycled by the recycler; and
  - (B) taken by the recycler for final disposal;during the immediately preceding calendar year.
- (2) Submit to the department a list of all collectors from whom the recycler received covered electronic devices.
- (3) Certify that the recycler has complied with IC 13-20.5-5 and 329 IAC 16.

*As added by P.L.178-2009, SEC.27. Amended by P.L.37-2012, SEC.46.*

**IC 13-20.5-3-3**

**Reports by collectors to the department**

Sec. 3. Before April 1, 2011, and not later than each April 1 thereafter, a collector shall submit to the department a report that contains for the immediately preceding calendar year:

- (1) the total weight in pounds of covered electronic devices collected in Indiana by the collector; and
- (2) a list of all recyclers to whom the collector delivered covered electronic devices.

*As added by P.L.178-2009, SEC.27. Amended by P.L.37-2012, SEC.47.*

## **IC 13-20.5-4**

### **Chapter 4. Manufacturer Responsibilities**

#### **IC 13-20.5-4-1**

##### **Manufacturer's recycling requirement**

Sec. 1. A manufacturer shall in each of the manufacturer's program years recycle or arrange for the collection and recycling from covered entities of an amount of covered electronic devices equal to at least sixty percent (60%) of the total weight of the manufacturer's video display devices sold to households as reported in the manufacturer's registration for the program year under IC 13-20.5-1-1(e)(4).

*As added by P.L.178-2009, SEC.27. Amended by P.L.37-2012, SEC.48.*

#### **IC 13-20.5-4-2**

##### **Manufacturer's due diligence assessments; maintenance of records**

Sec. 2. (a) A manufacturer shall conduct and document due diligence assessments of collectors and recyclers with which the manufacturer contracts to allow the manufacturer to comply with this chapter.

(b) A manufacturer shall maintain for three (3) years documentation showing that all covered electronic devices recycled, partially recycled, or sent to downstream recycling operations by the manufacturer are recycled in compliance with this article.

*As added by P.L.178-2009, SEC.27.*

#### **IC 13-20.5-4-3**

##### **Contact information**

Sec. 3. A manufacturer shall provide the department with contact information for an individual who can be contacted regarding the manufacturer's activities under this article.

*As added by P.L.178-2009, SEC.27.*

**IC 13-20.5-5**

**Chapter 5. Recycler Responsibilities**

**IC 13-20.5-5-1**

**Recycler not responsible for data in recycled devices**

Sec. 1. Except to the extent otherwise required by law, a recycler is not responsible for any data that may be contained in a covered electronic device recycled by the recycler if an information storage device is included in the covered electronic device.

*As added by P.L.178-2009, SEC.27.*

**IC 13-20.5-6**

**Chapter 6. Retailer Responsibilities**

**IC 13-20.5-6-1**

**Information to be provided by retailers to households**

Sec. 1. A retailer that sells new video display devices shall provide information to households that:

- (1) describes where and how households may recycle video display devices; and
- (2) advises households of opportunities and locations for the convenient collection of video display devices for recycling.

*As added by P.L.178-2009, SEC.27.*

**IC 13-20.5-6-2**

**Means of providing information to households**

Sec. 2. The requirement in section 1 of this chapter may be met by retailers:

- (1) by providing to households the department's contact information or Internet web site address; and
- (2) if the retailer sells through catalogs or the Internet, by including the information in a prominent location in the retailer's catalog or on the retailer's Internet web site.

*As added by P.L.178-2009, SEC.27.*

## **IC 13-20.5-7**

### **Chapter 7. Department Duties**

#### **IC 13-20.5-7-1**

##### **Department adoption of forms and procedures**

Sec. 1. (a) The department shall:

- (1) subject to subsection (b), adopt forms for use by manufacturers, collectors, and recyclers for all registration statements, certifications, and reports required by this article; and
- (2) establish procedures for:
  - (A) receipt and maintenance of the registration statements and certifications filed with the department under IC 13-20.5-1; and
  - (B) making the statements and certifications easily available to manufacturers, retailers, and the public.

(b) The department is not required to adopt forms under subsection (a) by rule.

*As added by P.L.178-2009, SEC.27.*

#### **IC 13-20.5-7-2**

##### **Department calculation of estimated sales of video display devices**

Sec. 2. Before June 1, 2010, and before June 1 of each year thereafter, the department shall calculate estimated sales of video display devices sold to households by each manufacturer during the immediately preceding calendar year, based on national sales data.

*As added by P.L.178-2009, SEC.27.*

#### **IC 13-20.5-7-3**

##### **Recommendations to reduce revenue if revenue exceeds requirements**

Sec. 3. If the revenues in the electronic waste fund established by IC 13-20.5-2-3 exceed the amount that the department determines is necessary for efficient and effective administration of this article, the department shall recommend to the general assembly in a report submitted in an electronic format under IC 5-14-6 that:

- (1) the registration fee under IC 13-20.5-2-1(a); or
- (2) the proportion of sales of video display devices required to be recycled under IC 13-20.5-4-1;

be lowered to reduce revenues collected in the subsequent state fiscal year by the estimated amount of the excess.

*As added by P.L.178-2009, SEC.27.*

#### **IC 13-20.5-7-4**

##### **Department report on program implementation**

Sec. 4. (a) Before August 1, 2013, and before August 1 of each year thereafter, the department shall submit a report concerning the implementation of this article to:

- (1) the general assembly in an electronic format under

IC 5-14-6;

(2) the governor;

(3) the interim study committee on environmental affairs established by IC 2-5-1.3-4 in an electronic format under IC 5-14-6; and

(4) the Indiana recycling market development board established by IC 4-23-5.5-2.

(b) For each state fiscal year, the report submitted under subsection (a):

(1) must discuss the total weight of covered electronic devices recycled in the state fiscal year and a summary of information in the reports submitted by manufacturers and recyclers under IC 13-20.5-3;

(2) must discuss the various collection programs used by manufacturers to collect covered electronic devices, information regarding covered electronic devices that are being collected by persons other than registered manufacturers, collectors, and recyclers, and information about covered electronic devices, if any, being disposed of in landfills in Indiana;

(3) must include a description of enforcement actions under this article during the state fiscal year; and

(4) may include other information received by the department regarding the implementation of this article.

*As added by P.L.178-2009, SEC.27. Amended by P.L.53-2014, SEC.127.*

#### **IC 13-20.5-7-5**

##### **Department public education and outreach**

Sec. 5. The department shall promote public participation in the activities implemented under this article through public education and outreach efforts.

*As added by P.L.178-2009, SEC.27.*

#### **IC 13-20.5-7-6**

##### **Department collection of data and use to determine fee**

Sec. 6. (a) The department shall collect the data submitted to it annually by each registered manufacturer on:

(1) the total weight in pounds of each specific model of video display device sold to households, if provided;

(2) the total weight in pounds of video display devices sold to households;

(3) the total weight in pounds of covered electronic devices collected from covered entities that are recycled; and

(4) data on recycling credits, as required under IC 13-20.5-3-1.

(b) The department shall use the data described in subsection (a) to determine the manufacturer's variable recycling fee under the formula in IC 13-20.5-2-1.

*As added by P.L.178-2009, SEC.27.*

### **IC 13-20.5-7-7**

#### **Department estimation of sales; use of data to verify fee**

Sec. 7. The department shall estimate, for each registered manufacturer, the sales of video display devices to households during each calendar year, based on:

- (1) data provided by a manufacturer on sales of video display devices to households, including documentation describing how that amount was calculated and certification that the amount is accurate; or
- (2) if a manufacturer does not provide the data specified in subdivision (1), national data on sales of video display devices.

The department shall use the data specified in this section to review the determination of each manufacturer's variable recycling fee to ensure that the fee was calculated accurately according to the formula in IC 13-20.5-2-1.

*As added by P.L.178-2009, SEC.27.*

### **IC 13-20.5-7-8**

#### **Department may participate in organizations and compacts**

Sec. 8. The department may participate in or join a regional multistate organization or compact to assist in implementing this article.

*As added by P.L.178-2009, SEC.27.*

### **IC 13-20.5-7-9**

#### **Department evaluation of national program and regional agreement**

Sec. 9. If a national electronic waste program is implemented that is similar to the program established under this article, the department shall review, evaluate, and compare the national program, the program established under this article, and any regional agreement the department has entered into under section 8 of this chapter.

*As added by P.L.178-2009, SEC.27.*

### **IC 13-20.5-7-10**

#### **Educational programs**

Sec. 10. (a) Solid waste management districts shall conduct educational programs to provide information to the public concerning:

- (1) reuse and recycling of electronic waste;
- (2) collection programs available to the public for the disposal of electronic waste; and
- (3) proper disposal of electronic waste.

(b) The department, with assistance from solid waste management districts and other appropriate persons, shall provide solid waste management districts with a curriculum model that includes educational core principles concerning the reuse, recycling, collection, and proper disposal of solid waste. Solid waste management districts shall implement educational programs that meet



the minimum standards established by the department in the curriculum model.

*As added by P.L.159-2011, SEC.35. Amended by P.L.37-2012, SEC.49.*

**IC 13-20.5-8**

**Chapter 8. Other Recycling Programs**

**IC 13-20.5-8-1**

**Governmental entity may not require covered entity to use public recycling facilities**

Sec. 1. A city, a county, or any other governmental entity may not require a covered entity to use public facilities to recycle the covered entity's covered electronic devices to the exclusion of other lawful recycling programs available.

*As added by P.L.178-2009, SEC.27.*

**IC 13-20.5-8-2**

**Actions not prohibited by program**

Sec. 2. This article does not prohibit or restrict:

- (1) the operation of any program that recycles covered electronic devices in addition to programs provided by manufacturers;
- (2) persons from receiving, collecting, transporting, or recycling covered electronic devices, if those persons are registered under IC 13-20.5-1; or
- (3) a collector, recycler, or manufacturer from charging for directly collecting any covered electronic devices directly from covered entities, including charging for curbside collection from covered entities.

*As added by P.L.178-2009, SEC.27.*

**IC 13-20.5-9**

**Chapter 9. Requirements for Purchases by State Agencies**

**IC 13-20.5-9-1**

**Department of administration to ensure state agency compliance with program**

Sec. 1. The Indiana department of administration shall ensure that acquisitions of video display devices by state agencies comply with or are not subject to this article.

*As added by P.L.178-2009, SEC.27.*

**IC 13-20.5-9-2**

**State contractor compliance with program**

Sec. 2. State agency solicitation documents must specify that the prospective responder is required to cooperate fully in providing reasonable access to the prospective responder's records and documents to demonstrate compliance with this article.

*As added by P.L.178-2009, SEC.27.*

**IC 13-20.5-9-3**

**Sanctions on state contractor that violates program**

Sec. 3. A person awarded a contract by a state agency for purchase or lease of video display devices that is found to be in violation of this article is subject to the following sanctions:

(1) The contract is void if the Indiana department of administration determines that the potential adverse effect to the state from voiding the contract is exceeded by the benefit obtained from voiding the contract.

(2) If the attorney general establishes that any money, property, or benefit was obtained by a contractor as a result of violating this article, a court may, in addition to any other remedy, order the forfeiture of the unlawfully obtained money, property, or benefit.

*As added by P.L.178-2009, SEC.27.*

**IC 13-20.5-10**

**Chapter 10. Disposal Prohibitions**

**IC 13-20.5-10-1**

**Disposal restrictions**

Sec. 1. After 2010, a covered entity may not knowingly do any of the following:

- (1) Mix or allow the mixing of a covered electronic device or any other computer, computer monitor, printer, or television with municipal waste that is intended for disposal at a landfill.
- (2) Mix or allow the mixing of a covered electronic device or any other computer, computer monitor, printer, or television with any waste that is intended for disposal by burning or incineration.

*As added by P.L.178-2009, SEC.27.*

**IC 13-20.5-10-2**

**No penalties or sanctions for violations; no cause of action**

Sec. 2. (a) A covered entity that violates this chapter is not subject to:

- (1) a criminal or civil action or penalty; or
- (2) any other sanction;

under this title or any other state law.

(b) A violation of this chapter does not create a cause of action.

*As added by P.L.178-2009, SEC.27.*