



HOUSE OF REPRESENTATIVES

HB 2132

lead acid battery sales; fees

Prime Sponsor: Representative Petersen, LD 12

DPA Committee on Commerce
DPA Caucus and COW
X As Transmitted to the Governor

OVERVIEW

HB 2132 eliminates the \$15 cap for the deposit on lead acid batteries and instead allows the seller to determine the refundable deposit amount.

PROVISIONS

1. Removes the \$15 maximum refundable deposit sellers currently charge and permits sellers of lead acid batteries to determine the amount of the refundable deposit.
2. Makes technical and conforming changes.

CURRENT LAW

[A.R.S. § 44-1321](#) defines lead acid battery as a battery with a core of elemental lead and a capacity of six or more volts which is suitable for use in a vehicle or boat.

[A.R.S. § 44-1323](#) directs sellers of lead acid batteries to accept all used batteries and to charge a deposit fee of no more than \$15 on all new batteries sold. The fee will be fully refundable if a used battery with a receipt of the purchase of the new battery is presented to the seller within 45 days of the purchase. Sellers may keep any fees that are not properly claimed after 45 days.

Universal recycling symbols must be placed on all batteries sold after July 1, 1991. Written notices are required to be placed in the establishment selling batteries and within the promotional material selling batteries. Exemptions are given for persons whose ordinary course of business does not include selling batteries. Wholesalers that sell batteries to this state, to a political subdivision, or to private entities that do not resell the batteries are subject to this statute.

ADDITIONAL INFORMATION

[Laws 2010, Ch. 44, § 1](#), increased the fee a seller is allowed to charge from \$5 to a maximum of \$15 and extended the time allowed for the buyer to return the used battery for a full refund from 30 to 45 days.