



ARIZONA STATE SENATE
Fifty-Second Legislature, Second Regular Session

FINAL AMENDED
FACT SHEET FOR H.B. 2132

lead acid battery; sales; fees

Purpose

Removes the cap on deposits assessed for purchasing a lead acid battery without returning a used battery.

Background

A *lead acid battery* (battery), defined as a battery with an elemental lead core and a capacity of at least six volts for use in a vehicle or boat, may not be disposed in landfills or incinerators. A knowing violation of lead acid battery disposal requirements is subject to an environmental nuisance citation and a civil penalty of up to \$500 (A.R.S. § 44-1324).

To dispose of a battery, a person may deliver the battery to a battery retailer, a secondary lead smelter or an authorized collection or recycling facility. A battery retailer may take the battery to a permitted secondary lead smelter, a battery manufacturer or a collection facility authorized by the Arizona Department of Environmental Quality (A.R.S. § 44-1322).

When a consumer purchases a new battery, a battery seller must accept a used battery supplied by the buyer, and the seller may not charge any extra fees not authorized by statute. If a consumer does not submit a used battery upon purchase of a new battery, the seller must charge the consumer a refundable deposit. Laws 2010, Chapter 44 increased the maximum refundable deposit for recycling batteries from \$5 to \$15. The measure also expanded, from 30 to 45 days, the time period in which a buyer may return a used battery and receive a refund of the deposit.

There is no anticipated fiscal impact to the state General Fund associated with this legislation.

Provisions

1. Removes the \$15 cap for a refundable deposit assessed to a consumer that purchases a new battery without returning a used battery.
2. Makes technical changes.
3. Becomes effective on the general effective date.

FACT SHEET - Final Amended

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House Action

COM	1/19/16	DPA	8-0-0
3 rd Read	2/9/16	DPA	58-0-2

Senate Action

CWD	2/29/16	DP	7-1-1-0
3 rd Read	3/15/16	DP	21-8-1-0

Signed by the Governor 3/17/16

Chapter 36

Prepared by Senate Research

March 22, 2016

GH/LB/rf