



General Assembly

**Amendment**

January Session, 2023

LCO No. 7071



Offered by:  
REP. GRESKO, 121<sup>st</sup> Dist.

To: Subst. House Bill No. 6609

File No. 133

Cal. No. 105

**"AN ACT CONCERNING EXTENDED PRODUCER  
RESPONSIBILITY FOR SMOKE DETECTORS."**

1 Strike everything after the enacting clause and substitute the  
2 following in lieu thereof:

3 "Section 1. (NEW) (*Effective from passage*) (a) For the purposes of this  
4 section:

5 (1) "Department" means the Department of Energy and  
6 Environmental Protection;

7 (2) "Manufacturer" means any person who sells, sold, offers for sale,  
8 offered for sale, distributes or distributed a smoke detector in this state  
9 under a brand or label owned by such person or licensed to such person;

10 (3) "Smoke detector" means any ionization smoke detector that  
11 contains Americium and that is intended for installation in a residential,  
12 commercial or industrial building. "Smoke detector" includes any  
13 combination smoke detector and carbon monoxide detector;

14 (4) "Retailer" means any person who sells smoke detectors of any kind  
15 directly to homeowners or other nonprofessionals through any selling  
16 or distribution mechanism;

17 (5) "Wholesaler" means any person who is engaged in the distribution  
18 and wholesale sale of smoke detectors to contractors who install smoke  
19 detectors;

20 (6) "Contractor" means any person engaged in the business of  
21 installing, servicing or removing smoke detectors; and

22 (7) "Qualified contractor" means any contractor who employs seven  
23 or more service technicians or installers or who is located in an area  
24 outside of an urban area, as defined by the United States Census Bureau.

25 (b) Not later than April 1, 2024, each manufacturer shall, individually  
26 or collectively: (1) Establish a smoke detector collection and recycling  
27 program to collect, transport and properly manage any out-of-service  
28 smoke detector received at any participating collection site in this state;  
29 (2) make a collection container available to any wholesaler, retailer,  
30 qualified contractor or municipality that participates as a collection site  
31 in such smoke detector collection and recycling program and requests  
32 such a container; (3) include with each collection container provided to  
33 any wholesaler, retailer, qualified contractor or municipality  
34 information regarding the proper management of smoke detectors as  
35 universal waste; (4) charge no fee or other charge to any person that  
36 participates in such collection and recycling program, except that such  
37 manufacturer may charge each wholesaler, retailer, qualified contractor  
38 and municipality that participates in such manufacturer's smoke  
39 detector collection and recycling program and that receives one or more  
40 collection containers a one-time program administration fee of not  
41 greater than seventy-five dollars; (5) for the period of April 1, 2024, to  
42 April 1, 2027, inclusive, conduct educational and outreach efforts  
43 concerning such smoke detector collection and recycling program,  
44 including, but not limited to: (A) Promoting the availability of collection  
45 containers to wholesalers, retailers, qualified contractors and

46 municipalities in the state; (B) educating contractors and homeowners  
47 on (i) the importance of properly managing out-of-service smoke  
48 detectors, (ii) the opportunities for the collection and recycling of such  
49 smoke detectors, and (iii) the availability of manufacturer smoke  
50 detector collection and recycling programs; (C) providing signs to  
51 participating collection sites to prominently post information for  
52 contractors and consumers concerning the collection and recycling of  
53 out-of-service smoke detectors; and (D) supplying written materials, for  
54 reproduction by participating wholesalers and retailers, that may be  
55 provided to customers at the time of purchase or delivery of a smoke  
56 detector and that include information on the importance of properly  
57 managing out-of-service smoke detectors and the opportunities for the  
58 collection and recycling of such smoke detectors; and (6) beginning  
59 April 1, 2025, and annually thereafter, submit a report to the Department  
60 of Energy and Environmental Protection that includes the following  
61 information: (A) The number of smoke detectors collected and recycled  
62 by such manufacturer pursuant to such smoke detector collection and  
63 recycling program during the previous calendar year; (B) a self-  
64 evaluation of the effectiveness of such manufacturer's smoke detector  
65 collection and recycling program that is certified to be substantially  
66 accurate by a competent third party who is acceptable to the  
67 commissioner; (C) an accounting of the administrative costs incurred by  
68 such manufacturer in the course of administering such smoke detector  
69 collection and recycling program during the previous calendar year;  
70 and (D) a list of wholesalers, retailers, qualified contractors and  
71 municipalities that requested collection containers from such  
72 manufacturer during the previous calendar year.

73 (c) On and after July 1, 2025, any wholesaler or qualified contractor  
74 shall be deemed to be in compliance with the provisions of this section  
75 if such wholesaler or contractor participates as a collection site in a  
76 manufacturer's smoke detector collection and recycling program, as  
77 described in subsection (b) of this section, or by collecting smoke  
78 detectors and managing the disposal of such smoke detectors in  
79 accordance with any applicable federal and state universal waste rules.

80 Any wholesaler or retailer that participates as a collection site pursuant  
81 to a manufacturer's smoke detector collection and recycling program  
82 shall post visible signs at such wholesaler's or retailer's location  
83 concerning the collection and recycling of smoke detectors.

84 (d) On and after July 1, 2025: (1) Any manufacturer who fails to  
85 comply with the provisions of subsection (b) of this section shall not sell,  
86 offer for sale or distribute any smoke detector in this state; (2) any  
87 wholesaler or qualified contractor who fails to participate as a collection  
88 site in a manufacturer's smoke detector collection and recycling  
89 program shall not sell, offer for sale or distribute any smoke detector in  
90 this state; and (3) no wholesaler or qualified contractor shall sell, offer  
91 for sale or distribute any smoke detector in this state from any  
92 manufacturer who is not in compliance with the provisions of  
93 subsection (b) of this section.

94 (e) On and after July 1, 2025, no person shall dispose of a smoke  
95 detector in the commercial or municipal waste stream or in any manner  
96 other than the recycling of such smoke detector or the disposing of such  
97 smoke detector as hazardous waste. On and after July 1, 2025: (1) Any  
98 contractor who replaces a smoke detector from a building shall recycle  
99 such smoke detector or deliver such smoke detector to a wholesaler,  
100 retailer or municipality that participates as a collection site for the  
101 collection and recycling of such smoke detectors; and (2) any contractor  
102 who demolishes a building shall remove all smoke detectors from such  
103 building prior to demolition and shall recycle such smoke detectors or  
104 deliver such smoke detectors to a wholesaler, retailer, qualified  
105 contractor or municipality that participates as a collection site for the  
106 collection and recycling of such smoke detectors. The Department of  
107 Energy and Environmental Protection may enforce the provisions of this  
108 subsection.

109 (f) (1) On and after April 1, 2025, the Department of Energy and  
110 Environmental Protection shall maintain and post on the department's  
111 Internet web site a list of wholesalers, retailers, qualified contractors and  
112 municipalities that are collection sites for out-of-service smoke

113 detectors.

114 (2) Not later than January 1, 2028, the department, in accordance with  
115 section 11-4a of the general statutes, shall submit a report to the joint  
116 standing committee of the General Assembly having cognizance of  
117 matters relating to the environment concerning the effectiveness of the  
118 manufacturer smoke detector collection and recycling programs  
119 established pursuant to this section. Such report shall be based, in part,  
120 on the reports submitted by manufacturers to the department pursuant  
121 to subsection (b) of this section and shall include recommendations for  
122 any revisions to such programs, including, but not limited to, any  
123 necessary statutory revisions and any recommendations concerning the  
124 repeal of such programs.

125 (g) Nothing in this section shall be construed to require the  
126 participation of any municipality in any manufacturer's smoke detector  
127 collection and recycling program.

128 (h) No owner or operator of any solid waste disposal facility shall be  
129 found to be in violation of the provisions of this section, provided such  
130 owner or operator: (1) Makes a good-faith and consistent effort to  
131 comply with the provisions of this section; (2) posts, in a conspicuous  
132 location at such facility, a sign stating that smoke detectors are not  
133 accepted at such facility; and (3) notifies, in writing, all collectors  
134 registered to deposit solid waste at such facility that smoke detectors are  
135 not accepted at such facility."

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	New section