

**SENATE
STATE OF MINNESOTA
NINETY-FOURTH SESSION**

S.F. No. 4214

(SENATE AUTHORS: HAWJ)

DATE	D-PG	OFFICIAL STATUS
03/09/2026	6560	Introduction and first reading
		Referred to Environment, Climate, and Legacy
04/16/2026	8115a	Comm report: To pass as amended and re-refer to Finance

1.1 A bill for an act

1.2 relating to state government; establishing a stewardship program for batteries;

1.3 prohibiting mercury in batteries; authorizing rulemaking; appropriating money;

1.4 modifying previous appropriations; extending the availability of previous

1.5 appropriations; modifying the effective date of previously enacted legislation;

1.6 amending Minnesota Statutes 2024, sections 115A.03, by adding subdivisions;

1.7 115A.554; 115A.9157; 116.92, subdivision 6, by adding a subdivision; 325E.125,

1.8 subdivision 5; 325E.1251, subdivision 2; Laws 2023, chapter 40, article 4, section

1.9 2, subdivision 6, as amended; Laws 2024, chapter 90, article 1, section 52;

1.10 proposing coding for new law in Minnesota Statutes, chapter 115A; repealing

1.11 Minnesota Statutes 2024, sections 115A.9155; 115A.961, subdivisions 1, 2, 3;

1.12 325E.125, subdivisions 1, 2, 2a, 3, 4; 325E.1251, subdivision 1.

1.13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.14 **ARTICLE 1**

1.15 **ENVIRONMENT AND NATURAL RESOURCES**

1.16 Section 1. Laws 2023, chapter 40, article 4, section 2, subdivision 6, as amended by Laws

1.17 2025, chapter 36, article 4, section 15, is amended to read:

1.18	Subd. 6. Department of Administration	17,040,000	14,105,000
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1.19 (a) The amounts in this subdivision are

1.20 appropriated to the commissioner of

1.21 administration for grants to the named

1.22 organizations for the purposes specified in this

1.23 subdivision. The commissioner of

1.24 administration may use a portion of this

1.25 appropriation for costs that are directly related

2.1 to and necessary for the administration of
2.2 grants in this subdivision.

2.3 (b) Grant agreements entered into by the
2.4 commissioner and recipients of appropriations
2.5 under this subdivision must ensure that money
2.6 appropriated in this subdivision is used to
2.7 supplement and not substitute for traditional
2.8 sources of funding.

2.9 **(c) Minnesota Public Radio**

2.10 \$2,050,000 each year is for Minnesota Public
2.11 Radio to create programming and expand news
2.12 service on Minnesota's cultural heritage and
2.13 history.

2.14 **(d) Association of Minnesota Public Educational**
2.15 **Radio Stations**

2.16 \$2,050,000 the first year and \$2,050,000 the
2.17 second year are to the Association of
2.18 Minnesota Public Educational Radio Stations
2.19 for production and acquisition grants in
2.20 accordance with Minnesota Statutes, section
2.21 129D.19.

2.22 **(e) Public Television**

2.23 \$5,000,000 the first year and \$4,500,000 the
2.24 second year are to the Minnesota Public
2.25 Television Association for production and
2.26 acquisition grants according to Minnesota
2.27 Statutes, section 129D.18. Of the amount in
2.28 the first year, \$1,000,000 is for producing
2.29 Minnesota military and veterans' history
2.30 stories and unique immigrant stories from
2.31 around the state.

2.32 **(f) Wilderness Inquiry**

2.33 \$500,000 the first year and \$600,000 the
2.34 second year are to Wilderness Inquiry to

3.1 preserve Minnesota's outdoor history, culture,
3.2 and heritage by connecting Minnesota youth
3.3 and families to natural resources.

3.4 **(g) Como Park Zoo**

3.5 \$1,725,000 each year is to the Como Park Zoo
3.6 and Conservatory for program development
3.7 that features educational programs and habitat
3.8 enhancement, special exhibits, music
3.9 appreciation programs, and historical garden
3.10 access and preservation.

3.11 **(h) Science Museum of Minnesota**

3.12 \$825,000 each year is to the Science Museum
3.13 of Minnesota for arts, arts education, and arts
3.14 access and to preserve Minnesota's history and
3.15 cultural heritage, including student and teacher
3.16 outreach, statewide educational initiatives, and
3.17 community-based exhibits that preserve
3.18 Minnesota's history and cultural heritage.

3.19 **(i) Appetite for Change**

3.20 \$200,000 the first year is to the nonprofit
3.21 Appetite for Change for the Community Cooks
3.22 programming, which will preserve the cultural
3.23 heritage of growing and cooking food in
3.24 Minnesota.

3.25 **(j) Lake Superior Zoo**

3.26 \$150,000 each year is to the Lake Superior
3.27 Zoo to develop educational exhibits and
3.28 programs.

3.29 **(k) Great Lakes Aquarium**

3.30 \$250,000 each year is to the Lake Superior
3.31 Center Authority to prepare, fabricate, and
3.32 install a hands-on exhibit with interactive
3.33 learning components to educate Minnesotans

4.1 on the history of the natural landscape of the
4.2 state.

4.3 **(l) State Band**

4.4 \$25,000 the first year and \$25,000 the second
4.5 year are to the Minnesota state band to provide
4.6 free concerts throughout the state.

4.7 **(m) Veterans Memorial Park in Wyoming**

4.8 \$100,000 the first year is for a grant to the city
4.9 of Wyoming to build the Veterans Memorial
4.10 Plaza and related interpretive walk in Railroad
4.11 Park.

4.12 **(n) Great Northern Festival**

4.13 \$75,000 the first year and \$75,000 the second
4.14 year are for a grant to support the Great
4.15 Northern Festival, which connects attendees
4.16 to parks, outdoor spaces, and cultural venues
4.17 through a festival.

4.18 **(o) Governor's Council on Developmental
4.19 Disabilities**

4.20 \$50,000 the first year is to the Minnesota
4.21 Governor's Council on Developmental
4.22 Disabilities to continue to preserve and raise
4.23 awareness of the history of Minnesotans with
4.24 developmental disabilities.

4.25 **(p) Minnesota Council on Disability**

4.26 \$125,000 the first year and \$125,000 the
4.27 second year are to the Minnesota Council on
4.28 Disability to provide educational opportunities
4.29 in the arts, history, and cultural heritage of
4.30 Minnesotans with disabilities in conjunction
4.31 with the 50th anniversary of the Minnesota
4.32 Council on Disability. This appropriation is
4.33 available until June 30, 2027.

5.1 **(q) Keller Regional Park**

5.2 \$500,000 the first year is for a grant to Ramsey
5.3 County to preserve Minnesota's cultural
5.4 heritage by enhancing the tuj lub courts at
5.5 Keller Regional Park.

5.6 **(r) Vietnam War Anniversary**

5.7 \$250,000 the first year is for a grant to the
5.8 commissioner of veterans affairs to prepare
5.9 and host a commemoration program for the
5.10 50th anniversary of the Vietnam War.

5.11 **(s) St. Paul Cultural Art Installation**

5.12 \$500,000 the first year is for a grant to
5.13 ~~Forecast Public Art for an~~ the city of St. Paul
5.14 for a public art installation celebrating
5.15 Olympic gold medalist Suni Lee. The project
5.16 funded by this paragraph must be located in
5.17 St. Paul at the Conway Recreation Center or,
5.18 if that site is not practicable, at Lake Phalen
5.19 at the platform containing the bust of Suni
5.20 Lee. This appropriation is available until June
5.21 30, ~~2027~~ 2028.

5.22 **(t) One Heartland Center**

5.23 \$50,000 each year is for a grant to One
5.24 Heartland Center for programming and
5.25 outdoor activities for families and youth in
5.26 Minnesota.

5.27 **(u) Forest Lake Veterans Memorial**

5.28 \$100,000 the first year is for a grant to the
5.29 Forest Lake Veterans Memorial Committee
5.30 to construct a memorial to veterans of the
5.31 United States armed forces at Lakeside
5.32 Memorial Park in the city of Forest Lake. This
5.33 appropriation is available until June 30, 2027.

6.1 **(v) Hmong Plaza**

6.2 \$450,000 the first year is for a grant to the city
6.3 of St. Paul to construct the Hmong Plaza at
6.4 Phalen Lake.

6.5 **(w) Camille Gage Artist Fellowship**

6.6 \$55,000 the first year and \$55,000 the second
6.7 year are for a grant to YWCA Minneapolis to
6.8 fund an annual fellowship to be known as the
6.9 Camille J. Gage Artist Fellowship. Of this
6.10 amount, up to \$5,000 each year may be used
6.11 for administrative expenses. YWCA
6.12 Minneapolis must select a person for the
6.13 Camille J. Gage Artist Fellowship after an
6.14 application process that allows both
6.15 applications by interested persons and
6.16 nominations of persons by third parties. By
6.17 October 1, 2026, YWCA Minneapolis must
6.18 report to the chairs and ranking minority
6.19 members of the legislative committees and
6.20 divisions with jurisdiction over legacy on the
6.21 use of money appropriated under this
6.22 paragraph and on the activities of the person
6.23 selected for the Camille J. Gage Artist
6.24 Fellowship under this paragraph. This
6.25 appropriation is available until June 30, 2026.

6.26 **(x) Minnesota African American Heritage
6.27 Museum and Gallery**

6.28 \$235,000 the first year and \$125,000 the
6.29 second year are for arts and cultural heritage
6.30 programming celebrating African American
6.31 and Black communities in Minnesota. Of the
6.32 amount in the first year, \$110,000 is for C.
6.33 Caldwell Fine Arts for an outdoor mural
6.34 project in North Minneapolis to work with

7.1 young people to develop skills while using art
7.2 as the impetus.

7.3 **(y) Tibetan American Foundation of Minnesota**

7.4 \$25,000 the first year and \$25,000 the second
7.5 year are for a grant to the Tibetan American
7.6 Foundation of Minnesota to celebrate and
7.7 teach the art, culture, and heritage of Tibetan
7.8 Americans in Minnesota.

7.9 **(z) Hong De Wu Guan**

7.10 \$25,000 the first year is for a grant to Hong
7.11 De Wu Guan to create cultural arts projects
7.12 like Lion Dance for after-school programs for
7.13 youth.

7.14 **(aa) Sepak Takraw of USA**

7.15 \$50,000 the first year is for a grant to the
7.16 Sepak Takraw of USA to work with youth and
7.17 after-school programs in the community to
7.18 teach the cultural games of tuj lub and sepak
7.19 takraw. This appropriation may not be used
7.20 to hold events.

7.21 **(bb) 30,000 Feet**

7.22 \$75,000 the first year and \$75,000 the second
7.23 year are for a grant to 30,000 Feet, a nonprofit
7.24 organization, to help youth and community
7.25 artists further develop their artistic skills, to
7.26 create community art and artistic
7.27 performances, and to promote and share
7.28 African American history and culture through
7.29 the arts.

7.30 **(cc) Siengkane Lao Minnesota**

7.31 \$50,000 the first year and \$50,000 the second
7.32 year are for a grant to Siengkane Lao MN to

8.1 create cultural arts projects and to preserve
8.2 traditional performances.

8.3 **(dd) Hmong Cultural Center**

8.4 \$150,000 the first year and \$150,000 the
8.5 second year are for a grant to the Hmong
8.6 Cultural Center of Minnesota for
8.7 museum-related programming and educational
8.8 outreach activities to teach the public about
8.9 the historical, cultural, and folk arts heritage
8.10 of Hmong Minnesotans.

8.11 **(ee) Comunidades Latinas Unidas En Servicio**

8.12 \$250,000 the first year and \$250,000 the
8.13 second year are for a grant to Comunidades
8.14 Latinas Unidas En Servicio (CLUES) to
8.15 expand arts programming to celebrate Latino
8.16 cultural heritage; support local artists; and
8.17 provide professional development, networking,
8.18 and presentation opportunities.

8.19 **(ff) Hmong RPA Writing System**

8.20 \$300,000 the first year and \$300,000 the
8.21 second year are for grants to recipients who
8.22 have demonstrated knowledge and interest in
8.23 preserving Hmong culture to preserve Hmong
8.24 Minnesotans' heritage, history, language, and
8.25 culture. Grants must be used in conjunction
8.26 with Minnesota universities to improve and
8.27 develop a unified and standardized Latin
8.28 alphabet form of the Hmong RPA writing
8.29 system. No portion of this appropriation may
8.30 be used to encourage religious membership
8.31 or to conduct personal ceremonies or events.
8.32 This appropriation is available until June 30,
8.33 2028.

8.34 **(gg) Somali Museum of Minnesota**

9.1 \$125,000 the first year and \$125,000 the
9.2 second year are for a grant to the Somali
9.3 Museum of Minnesota for heritage arts and
9.4 cultural vitality programs to provide classes,
9.5 exhibits, presentations, and outreach about the
9.6 Somali community and heritage in Minnesota.

9.7 **(hh) Minnesota Museum of American Art**

9.8 \$200,000 the first year and \$200,000 the
9.9 second year are for a grant to the Minnesota
9.10 Museum of American Art for exhibit
9.11 programming and for a Native American
9.12 Fellowship at the museum.

9.13 **(ii) Fanka Programs**

9.14 \$250,000 the first year and \$250,000 the
9.15 second year are for a grant to Ka Joog
9.16 statewide Somali-based collaborative
9.17 programs for arts and cultural heritage. The
9.18 funding must be used for Fanka programs to
9.19 provide arts education and workshops, mentor
9.20 programs, and community presentations and
9.21 community engagement events throughout
9.22 Minnesota.

9.23 **(jj) The Bakken Museum**

9.24 \$150,000 the first year is for a grant to The
9.25 Bakken Museum for interactive exhibits and
9.26 outreach programs on arts and cultural
9.27 heritage.

9.28 **(kk) 4-H Shooting Sports**

9.29 \$50,000 the first year is to the University of
9.30 Minnesota Extension Office to provide grants
9.31 to Minnesota 4-H chapters that have members
9.32 participating in state and national
9.33 4-H-sanctioned shooting sports events.
9.34 Eligible costs for grant money include

10.1 shooting sports equipment and supplies and
 10.2 event fees associated with participating in state
 10.3 shooting sports events.

10.4 **(ll) Public Art Saint Paul**

10.5 \$75,000 each year is for a grant to Public Art
 10.6 Saint Paul for art programming at the Wakpa
 10.7 Triennial Art Festival to showcase new art
 10.8 across the Twin Cities by Minnesota artists in
 10.9 outdoor and indoor settings and to encourage
 10.10 visitors to experience the arts and culture
 10.11 produced by local arts and culture
 10.12 organizations.

10.13 **EFFECTIVE DATE.** This section is effective the day following final enactment.

10.14 Sec. 2. Laws 2024, chapter 90, article 1, section 52, is amended to read:

10.15 Sec. 52. **EFFECTIVE DATE.**

10.16 (a) Sections 4 to 51, 4, 7, 10 to 12, 14 to 17, and 19 to 51, and the amendments to
 10.17 Minnesota Rules, parts 6100.5002, 6213.0100, 6213.0400, 6213.0500, 6232.0200, 6232.0300,
 10.18 6232.0400, 6232.0500, 6232.0900, 6232.1250, 6232.1300, 6232.1600, 6232.1950, 6232.1970,
 10.19 6232.1980, 6232.2550, 6232.2800, 6232.3100, 6232.4400, 6234.1600, 6234.1700, 6234.2000,
 10.20 6234.2600, 6236.0300, 6236.0500, 6236.0950, 6237.0200, 6262.1000, 6262.3200, 6264.0400,
 10.21 and 6266.0700, and the repealer as adopted by the commissioner of natural resources and
 10.22 published in the State Register, volume 49, page 1416, June 30, 2025, are effective upon
 10.23 full implementation of the replacement electronic license, permits, and pass portions of the
 10.24 electronic license system.

10.25 (b) Sections 5, 6, 8, 9, 13, and 18 are effective upon full implementation of the vehicle
 10.26 registration portions of the electronic license system.

10.27 (c) The commissioner of natural resources must notify the revisor of statutes when the
 10.28 replacement electronic license system is fully implemented. portions of the replacement
 10.29 electronic licensing system governed by the sections and rule modifications described in
 10.30 paragraph (a) are fully implemented and when the portions of the replacement electronic
 10.31 licensing system governed by the sections described in paragraph (b) are fully implemented.

10.32 **EFFECTIVE DATE.** This section is effective the day following final enactment.

11.1 Sec. 3. **APPROPRIATION EXTENSIONS.**

11.2 **Subdivision 1. Parks and trails fund appropriation extensions.** (a) The availability
11.3 of the grant to the St. Louis and Lake Counties Regional Railroad Authority for the Mesabi
11.4 Trail project from the parks and trails fund fiscal year 2024 appropriation under Laws 2023,
11.5 chapter 40, article 3, section 3, paragraph (c), is extended to June 30, 2027.

11.6 (b) The availability of the grant to Olmsted County for the Oxbow Park and Zollman
11.7 Zoo project from the parks and trails fund fiscal year 2024 appropriation under Laws 2023,
11.8 chapter 40, article 3, section 3, paragraph (c), is extended to June 30, 2027.

11.9 (c) The availability of the grant to Stearns County for the Kraemer Lake and Wildwood
11.10 County Park project from the parks and trails fund fiscal year 2024 appropriation under
11.11 Laws 2023, chapter 40, article 3, section 3, paragraph (c), is extended to June 30, 2027.

11.12 (d) The availability of the grant to Redwood County for the Plum Creek Park project
11.13 from the parks and trails fund fiscal year 2024 appropriation under Laws 2023, chapter 40,
11.14 article 3, section 3, paragraph (c), is extended to June 30, 2027.

11.15 (e) The availability of the grant to the city of Sandstone for the Robinson Quarry Park
11.16 project from the parks and trails fund fiscal year 2025 appropriation under Laws 2023,
11.17 chapter 40, article 3, section 3, paragraph (c), is extended to June 30, 2027.

11.18 **Subd. 2. Department of Natural Resources appropriation extensions.** (a) The
11.19 appropriation in Laws 2024, chapter 116, article 1, section 3, subdivision 5, for an electronic
11.20 licensing system is available until June 30, 2027.

11.21 (b) The appropriation in Laws 2023, chapter 60, article 1, section 3, subdivision 6,
11.22 paragraph (h), for a grant to expand Minnesota's wild elk population and range is available
11.23 until June 30, 2027.

11.24 **Subd. 3. Metropolitan Council appropriation extensions.** (a) The general fund
11.25 appropriation in Laws 2024, chapter 116, article 1, section 5, for community tree-planting
11.26 grants is available until June 30, 2027.

11.27 (b) The natural resources fund appropriation in Laws 2024, chapter 116, article 1, section
11.28 5, for grants to implementing agencies to plant trees is available until June 30, 2027.

11.29 **EFFECTIVE DATE.** This section is effective the day following final enactment.

11.30 Sec. 4. **APPROPRIATION; MINNESOTA ZOOLOGICAL BOARD.**

11.31 \$3,800,000 in fiscal year 2026 is appropriated from the general fund to the Minnesota
11.32 Zoological Board. This is a onetime appropriation.

12.1 **EFFECTIVE DATE.** This section is effective the day following final enactment.

12.2 Sec. 5. **APPROPRIATION; STUDY OF UNLAWFUL SHIPMENT OF INFECTIOUS**
 12.3 **OR PATHOLOGICAL WASTE.**

12.4 (a) By January 1, 2027, the commissioner of the Pollution Control Agency must submit
 12.5 a study to the chairs and ranking minority members of the senate and house of representatives
 12.6 committees and divisions with primary jurisdiction over environment and health and human
 12.7 services on the unlawful transportation of infectious or pathological waste to solid waste
 12.8 management facilities. The study must include:

12.9 (1) an assessment of the extent and frequency of unlawful transfer of infectious or
 12.10 pathological waste to solid waste management facilities and an assessment of the costs
 12.11 associated with those unlawful transfers; and

12.12 (2) recommendations for legislative or policy changes that could be adopted to reduce
 12.13 the frequency and cost of unlawful transfers of infectious or pathological waste, including
 12.14 an estimate of the costs to state agencies and other affected parties of each option. In
 12.15 formulating these recommendations, the commissioner must consider whether the following
 12.16 measures might contribute to a reduction in unlawful transfers of infectious or pathological
 12.17 waste to solid waste management facilities:

12.18 (i) imposing fines on those who unlawfully transport infectious or pathological waste
 12.19 to solid waste management facilities; and

12.20 (ii) undertaking unannounced inspections of infectious or pathological waste generators.

12.21 (b) \$75,000 in fiscal year 2027 is appropriated from the environmental fund to the
 12.22 commissioner of the Pollution Control Agency to conduct the study required by this section.

12.23 This is a onetime appropriation.

12.24 **ARTICLE 2**

12.25 **BATTERY STEWARDSHIP**

12.26 Section 1. Minnesota Statutes 2024, section 115A.03, is amended by adding a subdivision
 12.27 to read:

12.28 Subd. 3b. **Battery.** "Battery" means one or more galvanic cells, including any structural
 12.29 members, casing, and terminals.

12.30 **EFFECTIVE DATE.** This section is effective July 1, 2026.

13.1 Sec. 2. Minnesota Statutes 2024, section 115A.03, is amended by adding a subdivision to
13.2 read:

13.3 Subd. 10d. **Facilitate a sale.** "Facilitate a sale" means to assist a person in transferring
13.4 title or possession of a product, regardless of whether title or possession is ever acquired
13.5 by the person facilitating a sale, such as by operating an online marketplace, publishing an
13.6 offer for sale on a website, physically storing inventory of products, entering into a contract
13.7 to allow another person to list a product for sale, processing payment on behalf of another
13.8 person, entering into a contract with a buyer or a seller related to a sale, or otherwise
13.9 providing a sales process. Facilitate a sale does not include acting solely as:

13.10 (1) an advertiser;

13.11 (2) a payment processor; or

13.12 (3) a common carrier.

13.13 **EFFECTIVE DATE.** This section is effective July 1, 2026.

13.14 Sec. 3. **[115A.1331] STEWARDSHIP PROGRAM FOR COVERED BATTERIES;**
13.15 **DEFINITIONS.**

13.16 (a) The terms used in sections 115A.1331 to 115A.1347 have the meanings given in this
13.17 section and section 115A.03.

13.18 (b) "Battery-containing product" means a product:

13.19 (1) in which a covered battery is contained;

13.20 (2) to which a covered battery is attached; or

13.21 (3) with which a covered battery is packaged.

13.22 (c) "Brand" means a mark, a registered or unregistered trademark, a logo, a name, a
13.23 symbol, a word, or an identifier that attributes a product to the owner or licensee of the
13.24 brand.

13.25 (d) "Collection" means receipt of discarded covered batteries from a person, including
13.26 sorting and storage that are necessary for receipt and that are performed by the covered
13.27 battery collector. Collection does not include transport of a covered battery that occurs after
13.28 a covered battery collector receives the covered battery, except for transport by the covered
13.29 battery collector to or between a covered battery collection site or sites operated by the
13.30 covered battery collector.

14.1 (e) "Covered battery" means a loose battery or a battery that is easily removable. A
14.2 covered battery may be of any brand, type, or chemistry. A covered battery includes a
14.3 covered small battery or covered medium battery. A covered battery does not include:

14.4 (1) a lead acid battery regulated under sections 325E.115 and 325E.1151;

14.5 (2) a battery designed, manufactured, and intended solely for use in a motor vehicle;

14.6 (3) a battery contained within a medical device, as specified in United States Code, title
14.7 21, section 321(h), as it existed as of the effective date of this section, that is not designed
14.8 and marketed for sale or resale principally to consumers for personal use;

14.9 (4) a battery removed from a permanent, stationary, energy storage system that requires
14.10 installation and removal by an electrician licensed under chapter 326B;

14.11 (5) a battery transported into the state after the battery is collected in another state; or

14.12 (6) a battery subject to recall for safety reasons.

14.13 (f) "Covered battery collection site" means a physical location where a covered battery
14.14 collector collects covered batteries from other persons, regardless of whether the covered
14.15 battery collector operates the location permanently, temporarily, or for purposes of a
14.16 collection event.

14.17 (g) "Covered battery collector" means a person that collects covered batteries on behalf
14.18 of and under agreement with a covered battery stewardship organization and receives
14.19 reimbursement at the rates determined according to section 115A.1335 from a covered
14.20 battery stewardship organization for the covered battery collector's costs for collection of
14.21 the covered batteries.

14.22 (h) "Covered battery producer" means the following person responsible for compliance
14.23 with requirements under sections 115A.1331 to 115A.1347 for a covered battery sold,
14.24 including online sales, offered for sale or promotional purposes, or distributed in or into the
14.25 state:

14.26 (1) for a covered battery:

14.27 (i) if the covered battery is sold, offered, or distributed under a brand owned by the
14.28 person that manufactured the covered battery, the producer is the person that manufactured
14.29 the covered battery;

14.30 (ii) if the covered battery is sold, offered, or distributed under a brand owned by a person
14.31 other than the person that manufactured the covered battery, the producer is the person that
14.32 owned the brand;

15.1 (iii) if the covered battery is sold, offered, or distributed under a brand licensed to a
15.2 person, the producer is the person that is the licensee of the brand under which the covered
15.3 battery is sold, offered, or distributed, whether or not the brand is registered in the state;

15.4 (iv) if there is no person described in items (i) to (iii) within the United States, the
15.5 producer is the person that imported the covered battery into the United States to be sold,
15.6 offered, or distributed; and

15.7 (v) if there is no person described in items (i) to (iv), the producer is the person that first
15.8 sold, offered, or distributed the covered battery in or into the state;

15.9 (2) for a covered battery contained in, attached to, or packaged with a battery-containing
15.10 product:

15.11 (i) if the battery-containing product is sold, offered, or distributed under a brand owned
15.12 by the person that manufactured it, the producer is the person that manufactured the
15.13 battery-containing product;

15.14 (ii) if the battery-containing product is sold, offered, or distributed under a brand owned
15.15 by a person other than the person that manufactured the battery-containing product, the
15.16 producer is the person that owned the brand;

15.17 (iii) if the battery-containing product is sold, offered, or distributed under a brand licensed
15.18 to a person, the producer is the person that is the licensee of the brand under which the
15.19 battery-containing product is sold, offered, or distributed, whether or not the brand is
15.20 registered in the state;

15.21 (iv) if there is no person described in items (i) to (iii) within the United States, the
15.22 producer is the person that imported the battery-containing product into the United States
15.23 to be sold, offered, or distributed; and

15.24 (v) if there is no person described in items (i) to (iv), the producer is the person that first
15.25 sold, offered, or distributed the battery-containing product in or into the state;

15.26 (3) notwithstanding clause (2), a producer does not include any person that manufactured,
15.27 imported into the United States, or sold, offered, or distributed in or into the state a
15.28 battery-containing product if the producer of the only covered batteries contained in, attached
15.29 to, or packaged with the battery-containing product is named as a participant by a covered
15.30 battery stewardship organization and both the person and the participant acknowledge such
15.31 in writing to the covered battery stewardship organization; and

15.32 (4) notwithstanding clauses (1) and (2), a person that voluntarily assumes the
15.33 responsibility of a producer of a covered battery and certifies that they have assumed the

16.1 responsibility of a producer in writing to the commissioner is the producer of the covered
16.2 battery.

16.3 (i) "Covered battery stewardship organization" means an organization that contracts
16.4 with one or more covered battery producers to meet the producers' obligations under sections
16.5 115A.1331 to 115A.1347.

16.6 (j) "Covered battery stewardship plan" or "stewardship plan" means a plan that is prepared
16.7 according to section 115A.1335 and submitted to the commissioner by a covered battery
16.8 stewardship organization.

16.9 (k) "Covered battery stewardship program" means a system implemented by a covered
16.10 battery stewardship organization to manage all covered batteries offered to a covered battery
16.11 collector by arranging and paying for the collection, covered services, and all other activities
16.12 described in a covered battery stewardship plan published on the agency's publicly accessible
16.13 website under section 115A.1335, subdivision 4, paragraph (e), or 5, paragraph (a).

16.14 (l) "Covered medium battery" means a covered battery that weighs more than 11 pounds
16.15 but equal to or less than 25 pounds or has an energy capacity greater than 300 watt-hours
16.16 but equal to or less than 2,000 watt-hours.

16.17 (m) "Covered medium battery collection site" means a covered battery collection site
16.18 that meets the requirements of section 115A.1341, subdivision 1, paragraphs (a), (b), and
16.19 (d).

16.20 (n) "Covered services" means transportation, processing, recycling, and disposal of
16.21 covered batteries and residual materials after collection. Covered services does not include:

16.22 (1) repair or reuse of a covered battery by the collector; or

16.23 (2) transport of a covered battery by the covered battery collector that collected it to or
16.24 between a covered battery collection site or sites that are operated by the covered battery
16.25 collector.

16.26 (o) "Covered small battery" means a covered battery that weighs 11 pounds or less and
16.27 has an energy capacity of 300 watt-hours or less.

16.28 (p) "Covered small battery collection site" means a covered battery collection site that
16.29 meets the requirements of section 115A.1341, subdivision 1, paragraphs (a), (c), and (d).

16.30 (q) "Distribute" means to sell, offer, supply, ship, transport, or deliver a product to a
16.31 person that sells, offers, supplies, ships, transports, or delivers the product in or into the

17.1 state, regardless of whether title to the product is ever acquired by a person distributing the
17.2 product.

17.3 (r) "Easily removable" or "easily removed" means that a battery can be removed by a
17.4 single person from a product by hand or by hand and the use of only:

17.5 (1) a flathead, crosshead, or Phillips screwdriver;

17.6 (2) a paper clip;

17.7 (3) a coin; or

17.8 (4) a hex key.

17.9 (s) "Household hazardous waste management program" means a program established
17.10 under section 115A.96 to collect and manage household hazardous waste, as defined in
17.11 section 115A.96, that is established or operated by the agency or another public entity,
17.12 including but not limited to a political subdivision, state agency, or federally recognized
17.13 Tribe.

17.14 (t) "Independent auditor" means a certified public accountant that:

17.15 (1) holds a current active license under chapter 326A and rules adopted thereunder;

17.16 (2) is retained by a covered battery stewardship organization;

17.17 (3) is not otherwise employed by or affiliated with the commissioner or a covered battery
17.18 stewardship organization; and

17.19 (4) is qualified to conduct an audit under section 115A.1337, subdivision 6, clause (8).

17.20 (u) "Loose battery" means a battery that is not contained in or attached to a product. A
17.21 loose battery does not include a battery that is contained in an enclosure when the enclosure
17.22 is not integral to the operation of the battery.

17.23 (v) "Motor vehicle" has the meaning given in section 168.002.

17.24 (w) "Participant" means a covered battery producer that is named by a covered battery
17.25 stewardship organization as meeting the covered battery producer's obligations under sections
17.26 115A.1331 to 115A.1347. If one covered battery producer is named as a participant by
17.27 voluntarily assuming responsibility for a covered battery on behalf of other covered battery
17.28 producers under paragraph (h), clause (4), then all those covered battery producers are also
17.29 participants.

17.30 (x) "Rechargeable battery" means a battery that is designed and intended to have electrical
17.31 energy added to it by electrical or physical means after use.

18.1 (y) "Residual material" means material and waste resulting from processing, recycling,
18.2 or disposal of a covered battery.

18.3 (z) "Responsible market" means a market for covered batteries, for reclaimed materials
18.4 from collected covered batteries, or for any other recyclable residual material from collected
18.5 covered batteries that:

18.6 (1) reuses, recycles, or otherwise recovers materials and disposes of contaminants in a
18.7 manner that protects the environment and minimizes risks to public health and worker health
18.8 and safety;

18.9 (2) complies with all applicable federal, state, and local statutes, rules, ordinances, and
18.10 other laws governing environmental, health, safety, and financial responsibility;

18.11 (3) possesses all licenses and permits required by a federal or state agency or political
18.12 subdivision;

18.13 (4) if operating in the state, recycles batteries to the maximum extent practicable in
18.14 accordance with section 115A.02, paragraph (b); and

18.15 (5) minimizes adverse impacts to environmental justice areas.

18.16 (aa) "Specialized covered battery recycler" means a person that, if and as applicable, is
18.17 properly authorized by the commissioner or, if operating in another state or country, an
18.18 equivalent state, federal, or other governmental body, to process or recycle useful materials
18.19 from covered batteries.

18.20 **EFFECTIVE DATE.** This section is effective July 1, 2026.

18.21 **Sec. 4. [115A.1335] COVERED BATTERY STEWARDSHIP PLAN AND BUDGET.**

18.22 **Subdivision 1. Due dates.** (a) By July 1, 2027:

18.23 (1) a covered battery producer must contract with a covered battery stewardship
18.24 organization to act on the covered battery producer's behalf for purposes of complying with
18.25 the producer's obligations under sections 115A.1331 to 115A.1347; and

18.26 (2) a covered battery stewardship organization must:

18.27 (i) notify the commissioner that it has been designated by covered battery producers to
18.28 act on their behalf; and

18.29 (ii) provide to the commissioner its identity and contact information.

19.1 (b) By January 1, 2029, a covered battery stewardship organization must submit to the
19.2 commissioner a covered battery stewardship plan that meets all requirements of subdivision
19.3 2 for review under subdivision 4.

19.4 Subd. 2. Plan content; budget requirement. (a) A covered battery stewardship plan
19.5 must include:

19.6 (1) identification of and contact information for the covered battery stewardship
19.7 organization;

19.8 (2) a description and example of contracts, including a list of all parties to the contracts,
19.9 that must:

19.10 (i) clearly grant the covered battery stewardship organization the authority to act on
19.11 behalf of the participants that the covered battery stewardship organization represents to
19.12 implement the covered battery stewardship plan;

19.13 (ii) include a statement of responsibility of the participants that the covered battery
19.14 stewardship organization represents to comply with the approved covered battery stewardship
19.15 plan; and

19.16 (iii) include a statement of responsibility of the participants that the covered battery
19.17 stewardship organization represents to fund the covered battery stewardship organization
19.18 as necessary to implement the covered battery stewardship plan, pay for associated costs,
19.19 and pay for fees and penalties assessed by the commissioner;

19.20 (3) identification of and contact information for all participants in the covered battery
19.21 stewardship program;

19.22 (4) identification of and contact information for each covered battery collector or
19.23 prospective covered battery collector that has agreed to operate covered battery collection
19.24 sites to collect covered batteries on behalf of the covered battery stewardship organization
19.25 and documentation of such agreements. A covered battery collection site may only be
19.26 included in one covered battery stewardship plan at a time;

19.27 (5) identification of and contact information for each person providing covered services
19.28 and the location of all facilities where covered services will be provided;

19.29 (6) identification and contact information for those persons that the covered battery
19.30 stewardship organization has contracted with and that will administer and implement the
19.31 covered battery stewardship program in accordance with section 115A.1337, subdivision
19.32 7. The relationship of the other persons to the covered battery stewardship organization and

20.1 their role in administering and implementing the covered battery stewardship program must
20.2 be described;

20.3 (7) the address, county of location, and, in a form prescribed by the commissioner,
20.4 geolocation data for each covered battery collection site to be served through the covered
20.5 battery stewardship organization under the covered battery stewardship program and
20.6 identification of those covered battery collection sites that are operated by a household
20.7 hazardous waste management program;

20.8 (8) a list of the brands covered under the covered battery stewardship program;

20.9 (9) eligibility criteria for prospective covered battery collectors;

20.10 (10) a description of how the covered battery stewardship program will provide
20.11 convenient, statewide collection according to subdivision 3 without collection of covered
20.12 batteries performed by collection sites on behalf of another covered battery stewardship
20.13 organization;

20.14 (11) a description of how the covered battery stewardship organization will annually
20.15 monitor and ensure continuing compliance with the convenience standards under subdivision
20.16 3;

20.17 (12) a description of how the covered battery stewardship organization will ensure each
20.18 covered battery collector is provided with the materials specified in section 115A.1337,
20.19 subdivision 1;

20.20 (13) a description of how covered battery collection sites will be accessible according
20.21 to section 115A.1337, subdivision 2;

20.22 (14) the performance standards for persons providing covered services for the covered
20.23 battery stewardship organization and the oversight methods by which the covered battery
20.24 stewardship organization will ensure continuing compliance with the performance standards.
20.25 The covered battery stewardship organization may determine performance standards, which
20.26 at a minimum must:

20.27 (i) accord with clauses (17) to (20), (22), (23), and (36);

20.28 (ii) ensure that covered services other than transportation are provided only by specialized
20.29 covered battery recyclers; and

20.30 (iii) ensure covered batteries and residual materials are managed through responsible
20.31 markets;

21.1 (15) a description of the oversight methods by which the covered battery stewardship
21.2 organization will ensure continuing compliance with the performance standards under clause
21.3 (14);

21.4 (16) a description of how the covered battery stewardship organization will ensure that
21.5 there are multiple persons providing covered services to ensure resiliency in the system;

21.6 (17) a description of methods by which the covered battery stewardship organization
21.7 will ensure that discarded covered batteries and residual materials managed under the covered
21.8 battery stewardship program are managed while in the state in compliance with rules adopted
21.9 under section 116.07 for managing solid waste and hazardous waste, when applicable, and,
21.10 when outside the state, with all applicable legal requirements for managing solid waste and
21.11 hazardous waste, as applicable;

21.12 (18) a description of the actions the covered battery stewardship organization will take
21.13 upon receiving information of potential or actual noncompliance under clause (17) by any
21.14 person handling covered batteries under the covered battery stewardship program;

21.15 (19) a description of methods by which the covered battery stewardship organization
21.16 will ensure that covered batteries and residual materials managed under the covered battery
21.17 stewardship program are managed in compliance with safety and health requirements for
21.18 employees administered by the Department of Labor and Industry and with fire protection
21.19 requirements administered by the Department of Public Safety while in the state and, when
21.20 outside the state, with all applicable federal, state, and local employee safety and health
21.21 requirements and fire protection requirements;

21.22 (20) a description of the actions the covered battery stewardship organization will take
21.23 upon receiving information of potential or actual noncompliance under clause (19) by any
21.24 person handling covered batteries under the covered battery stewardship program;

21.25 (21) a description of how the covered battery stewardship organization will ensure
21.26 sufficient and timely pickup and transport of covered batteries are provided to each covered
21.27 battery collection site so that the covered battery collection site can continuously and safely
21.28 collect and store covered batteries;

21.29 (22) a description of methods by which the covered battery stewardship organization
21.30 will ensure that covered batteries and residual materials managed under the covered battery
21.31 stewardship program are transported in compliance with applicable regulations incorporated
21.32 by reference under section 221.033 for transporting hazardous materials while in the state
21.33 and, when outside the state, with all applicable legal requirements for transporting hazardous
21.34 materials;

22.1 (23) a description of the actions the covered battery stewardship organization will take
22.2 upon receiving information of potential or actual noncompliance under clause (22) by any
22.3 person handling covered batteries under the covered battery stewardship program;

22.4 (24) a statement of indemnification by the covered battery stewardship organization to
22.5 covered battery collectors for potential liability for improper downstream management of
22.6 covered batteries or residual materials by providers of covered services arranged for by the
22.7 covered battery stewardship organization and identified in the covered battery stewardship
22.8 plan under clause (5);

22.9 (25) a description of how the covered battery stewardship organization will determine
22.10 and annually report the quantity of covered batteries collected under the covered battery
22.11 stewardship program by chemistry by weight;

22.12 (26) a description of the outreach and education methods and activities that the covered
22.13 battery stewardship organization will ensure are provided according to section 115A.1337,
22.14 subdivision 4;

22.15 (27) a description of how the covered battery stewardship organization will ensure that
22.16 there is at least one full-time representative of the covered battery stewardship organization
22.17 who is dedicated to implementing the covered battery stewardship program in this state and
22.18 serves as the primary contact between the covered battery stewardship organization and the
22.19 agency;

22.20 (28) the proposed reimbursement rates for covered battery collectors that are household
22.21 hazardous waste management programs, according to the following:

22.22 (i) the proposed reimbursement rates must cover all costs of collection incurred by the
22.23 covered battery collectors, which include but are not limited to:

22.24 (A) labor, overhead, and supplies;

22.25 (B) necessary collection and storage;

22.26 (C) employee training; and

22.27 (D) necessary safety materials;

22.28 (ii) the covered battery stewardship organization may, on agreement with the covered
22.29 battery collectors, provide materials or services to covered battery collectors in lieu of
22.30 covering specific costs;

22.31 (iii) necessary safety materials described in item (i), subitem (D), do not include fire
22.32 safety infrastructure, such as fire sprinklers or fire detection systems; and

23.1 (iv) the covered battery stewardship organization must meet and agree on the proposed
23.2 reimbursement rates with covered battery collectors and prospective covered battery
23.3 collectors that are household hazardous waste management programs;

23.4 (29) the proposed reimbursement rates for covered battery collectors that are not
23.5 household hazardous waste management programs, according to the following:

23.6 (i) the proposed reimbursement rates must cover all of the following costs of collection
23.7 incurred by the covered battery collectors:

23.8 (A) necessary collection and storage;

23.9 (B) supplies;

23.10 (C) employee training; and

23.11 (D) necessary safety materials;

23.12 (ii) the proposed reimbursement rates may, on agreement with the covered battery
23.13 collectors, cover costs of collection in addition to those described in item (i);

23.14 (iii) the covered battery stewardship organization may, on agreement with the covered
23.15 battery collectors, provide materials or services to covered battery collectors in lieu of
23.16 covering specific costs;

23.17 (iv) necessary safety materials described in item (i), subitem (C), do not include fire
23.18 safety infrastructure, such as fire sprinklers or fire detection systems; and

23.19 (v) the covered battery stewardship organization must meet and agree on the proposed
23.20 reimbursement rates with covered battery collectors and prospective covered battery
23.21 collectors that are not household hazardous waste management programs;

23.22 (30) documentation that the covered battery collectors and prospective covered battery
23.23 collectors identified in clause (4) have agreed to the proposed reimbursement rates in clauses
23.24 (28) and (29);

23.25 (31) documentation that the number of covered battery collection sites identified in
23.26 clause (7) to be operated by the covered battery collectors identified in clause (4) are
23.27 sufficient to ensure that the covered battery stewardship organization will comply with the
23.28 convenience standards of subdivision 3;

23.29 (32) a description of the system by which the covered battery stewardship organization
23.30 will provide advance payment or reimbursement to covered battery collectors in a manner
23.31 that provides:

- 24.1 (i) periodic automatic payment of reimbursements at least annually; or
- 24.2 (ii) a process for submitting reimbursement requests and reasonable timelines for
- 24.3 reimbursement, at intervals no longer than monthly unless otherwise agreed to by the covered
- 24.4 battery collector;
- 24.5 (33) a description of the system by which the covered battery stewardship organization
- 24.6 will pay persons providing covered services in a manner that provides:
- 24.7 (i) a clear process for submitting invoices; and
- 24.8 (ii) reasonable timelines for payment, at intervals agreed to by the person providing
- 24.9 covered services;
- 24.10 (34) a description of how the covered battery stewardship program costs will be allocated
- 24.11 among participants, either individually or among groups of participants identified by the
- 24.12 covered battery stewardship organization, such that the costs of managing covered batteries
- 24.13 are allocated equitably. As part of this description, a clear assignment of responsibility for
- 24.14 costs of managing covered batteries subject to a voluntary or mandatory recall to the
- 24.15 participant or participants associated with those covered batteries and not other participants
- 24.16 must be included;
- 24.17 (35) a description of how the covered battery stewardship organization will comply with
- 24.18 subdivision 6, paragraph (b);
- 24.19 (36) a description of how the covered battery stewardship organization will ensure that
- 24.20 covered batteries and residual materials managed under the covered battery stewardship
- 24.21 program are managed to the maximum extent practicable in accordance with section 115A.02,
- 24.22 paragraph (b);
- 24.23 (37) a description of how the covered battery stewardship organization will take actions
- 24.24 within its purview and provide feedback for covered battery producers to enable
- 24.25 improvements in product design and material use, technology, and personnel training that
- 24.26 could raise the future maximum extent practicable for management described in clause (36),
- 24.27 including consideration of covered battery reuse, repair, and product life cycle;
- 24.28 (38) a description of how the covered battery stewardship organization will annually
- 24.29 report to the commissioner, by chemistry by weight, the end management through recycling
- 24.30 or disposal of covered batteries for which the covered battery stewardship program was
- 24.31 responsible during each calendar year; and

25.1 (39) a description of how the covered battery stewardship organization will take action
25.2 to decrease the incidence of covered batteries in solid waste in the state, including providing
25.3 collection opportunities under section 115A.1337, subdivision 2, paragraph (b).

25.4 (b) By January 1, 2029, and annually thereafter, a covered battery stewardship
25.5 organization must submit an anticipated annual budget for the covered battery stewardship
25.6 program for that calendar year, broken down into the covered battery stewardship program's
25.7 estimated costs for administration, collection, sorting after collection, storage after collection,
25.8 transportation after collection, processing, recycling, disposal, and communication, including
25.9 the cost of fees under section 115A.1339. The budget is not subject to review and approval
25.10 under subdivisions 4 and 5.

25.11 Subd. 3. **Convenience standards.** (a) A covered battery stewardship plan must provide
25.12 convenient, statewide collection for all covered batteries that are offered to covered battery
25.13 collectors by a person in the state, regardless of:

25.14 (1) a covered battery's type, physical size, energy capacity, or chemistry;

25.15 (2) a covered battery's brand; or

25.16 (3) the producer of a covered battery.

25.17 (b) A covered battery stewardship plan submitted by a covered battery stewardship
25.18 organization must independently meet the convenience standards in paragraphs (c) to (d)
25.19 without cost sharing, collaboration, or consideration of activities of another covered battery
25.20 stewardship organization.

25.21 (c) For covered small batteries, a covered battery stewardship organization must:

25.22 (1) in each county with a population of 10,000 or less, maintain at least two covered
25.23 small battery collection sites;

25.24 (2) in each county with a population greater than 10,000 but less than or equal to 100,000,
25.25 maintain at least two covered small battery collection sites and at least one additional covered
25.26 small battery collection site for each additional 10,000 in population above a population of
25.27 10,000;

25.28 (3) in each county with a population greater than 100,000, maintain at least 11 covered
25.29 small battery collection sites and at least one additional covered small battery collection
25.30 site for each additional 50,000 in population above a population of 100,000; and

25.31 (4) maintain a covered small battery collection site located within ten miles of the
25.32 household of at least 95 percent of the residents of the state.

26.1 (d) For covered medium batteries, a covered battery stewardship organization must:

26.2 (1) in each county with a population of 100,000 or less, maintain at least one covered
26.3 medium battery collection site;

26.4 (2) in each county with a population greater than 100,000, maintain at least two covered
26.5 medium battery collection sites and at least one additional covered medium battery collection
26.6 site for each additional 100,000 in population above a population of 100,000; and

26.7 (3) maintain a covered medium battery collection site located within ten miles of the
26.8 household of at least 95 percent of the residents of the state.

26.9 (e) When demonstrating compliance with paragraphs (c) and (d), a covered battery
26.10 stewardship organization may count a covered medium battery collection site as a covered
26.11 small battery collection site.

26.12 (f) A covered battery stewardship organization must ensure no net loss in estimated
26.13 collection convenience and capacity for covered batteries from the program in place on
26.14 January 1, 2026.

26.15 (g) Upon a showing by a covered battery stewardship organization that meeting the
26.16 convenience standard of paragraph (c) or (d), for a specific county or development region
26.17 would cause undue hardship to the covered battery stewardship organization, the
26.18 commissioner may approve an alternative convenience standard if the proposed alternative
26.19 convenience standard would reasonably result in equivalent covered battery collection
26.20 convenience.

26.21 **Subd. 4. Review of covered battery stewardship plan; implementation.** (a) Within
26.22 120 days after receiving a complete covered battery stewardship plan submitted under this
26.23 section, the commissioner must determine whether the stewardship plan complies with this
26.24 section and will ensure that elements required by subdivision 2, paragraph (a), will be met
26.25 to the maximum extent practicable. The commissioner must provide a written notice of
26.26 determination according to this subdivision.

26.27 (b) In conducting a review of a covered battery stewardship plan, the commissioner may
26.28 consult with interested parties.

26.29 (c) For at least 30 days before approving a covered battery stewardship plan, the
26.30 commissioner must place the stewardship plan on the agency's publicly accessible website
26.31 for public review and comment.

26.32 (d) If the commissioner determines that a covered battery stewardship plan fails to
26.33 comply with this section or will not ensure that elements required by subdivision 2, paragraph

27.1 (a), will be met to the maximum extent practicable, the commissioner must reject the covered
 27.2 battery stewardship plan. The commissioner must provide a written notice of determination
 27.3 to the covered battery stewardship organization describing the reasons for the rejection.

27.4 (e) After any consultation under paragraph (b) and review of public comments received
 27.5 under paragraph (c), if the commissioner determines that a covered battery stewardship plan
 27.6 complies with this section and will ensure that elements required by subdivision 2, paragraph
 27.7 (a), will be met to the maximum extent practicable, the commissioner must approve the
 27.8 covered battery stewardship plan. The commissioner must provide a written notice of
 27.9 determination to the covered battery stewardship organization and must publish the approved
 27.10 covered battery stewardship plan on the agency's publicly accessible website within 30 days
 27.11 after approval.

27.12 (f) The covered battery stewardship organization must implement the covered battery
 27.13 stewardship plan approved by the commissioner, including any amendments to the
 27.14 stewardship plan that are approved by the commissioner according to subdivision 5, within
 27.15 60 days after receiving written notice of approval.

27.16 (g) For each covered battery stewardship plan or amendment submitted to the
 27.17 commissioner for review, the commissioner may consider the data submitted according to
 27.18 section 115A.1337, subdivision 6, and other relevant information to establish requirements
 27.19 to improve the effectiveness, performance, and awareness of the covered battery stewardship
 27.20 program.

27.21 **Subd. 5. Amending or terminating a covered battery stewardship plan.** (a) A covered
 27.22 battery stewardship organization may amend a covered battery stewardship plan approved
 27.23 under subdivision 4 without review or approval by the commissioner to make the changes
 27.24 specified in clauses (1) to (3). Within 30 days after adopting an amendment under this
 27.25 paragraph, a covered battery stewardship organization must report the amendment to the
 27.26 commissioner and the commissioner must publish the amended stewardship plan on the
 27.27 agency's publicly accessible website. A covered battery stewardship organization must
 27.28 implement amendments made to a stewardship plan under this paragraph within 60 days
 27.29 after adopting the amendment. A covered battery stewardship organization may:

27.30 (1) add; terminate, when authorized under section 115A.1337, subdivision 1, if applicable;
 27.31 or replace a covered battery collector, collection site, person providing covered services,
 27.32 or facility where covered services will be performed;

27.33 (2) add or remove participants or brands covered under a covered battery stewardship
 27.34 plan; or

28.1 (3) change contact staff or contact staff information for a covered battery stewardship
28.2 organization, participants, covered battery collectors, or persons providing covered services.

28.3 (b) Except for an amendment under paragraph (a), a covered battery stewardship plan
28.4 containing any amendment must be submitted to and reviewed and approved by the
28.5 commissioner before it may be implemented by a covered battery stewardship organization.
28.6 The commissioner must review and approve or reject the covered battery stewardship plan
28.7 containing the proposed amendment according to subdivision 4.

28.8 (c) A covered battery stewardship organization must submit an amended covered battery
28.9 stewardship plan for review:

28.10 (1) at least every five years according to this subdivision and subdivision 4; or

28.11 (2) within 60 days if the commissioner determines that an amended stewardship plan is
28.12 necessary to implement sections 115A.1331 to 115A.1347.

28.13 (d) A covered battery stewardship organization may terminate a covered battery
28.14 stewardship plan only:

28.15 (1) by providing at least 90 days' written notice to the commissioner and to all covered
28.16 battery stewardship organizations and participants in the covered battery stewardship
28.17 program; and

28.18 (2) after a replacement covered battery stewardship plan submitted by the covered battery
28.19 stewardship organization or a new covered battery stewardship organization is approved
28.20 by the commissioner under subdivision 4.

28.21 (e) The commissioner may terminate a covered battery stewardship plan for good cause,
28.22 as defined in paragraph (f). If the commissioner terminates a covered battery stewardship
28.23 plan, the commissioner must provide the covered battery stewardship organization with
28.24 written notice of termination describing the good cause for termination. The commissioner
28.25 must also notify all participants in the covered battery stewardship program in writing of
28.26 the termination, using the contact information for the participants provided in the covered
28.27 battery stewardship plan.

28.28 (f) For purposes of paragraph (e), "good cause" includes but is not limited to:

28.29 (1) failure by a covered battery stewardship organization to:

28.30 (i) fully and accurately disclose required or requested information to the commissioner;

28.31 (ii) comply with the terms of sections 115A.1331 to 115A.1347; or

29.1 (iii) pay fees or penalties owed to the commissioner or comply with an order lawfully
 29.2 issued by the commissioner; and

29.3 (2) a finding that a covered battery stewardship organization's activities endanger human
 29.4 health or the environment and the danger cannot reasonably be removed by an amendment
 29.5 to a covered battery stewardship plan.

29.6 Subd. 6. **Compliance.** (a) A covered battery stewardship organization must comply with
 29.7 a covered battery stewardship plan approved by the commissioner, including any amendments
 29.8 to the stewardship plan that are made according to subdivision 5, paragraph (a) or (b). A
 29.9 covered battery stewardship organization must ensure that all participants, covered battery
 29.10 collectors, and persons providing covered services acting on behalf of the covered battery
 29.11 stewardship organization also comply with the stewardship plan and are responsible to the
 29.12 covered battery stewardship organization and to the commissioner for compliance.

29.13 (b) A covered battery stewardship organization must ensure that covered battery collectors
 29.14 are reimbursed according to the reimbursement rates approved by the commissioner according
 29.15 to this section and the system described in a covered battery stewardship plan.

29.16 (c) A covered battery stewardship organization must ensure that all costs of a covered
 29.17 battery stewardship program as specified in sections 115A.1331 to 115A.1347 are fully
 29.18 paid for by participants. All costs of a covered battery stewardship program must be allocated
 29.19 fairly between groups of participants without any fee, charge, surcharge, or any other cost
 29.20 to:

29.21 (1) any member of the public;

29.22 (2) any business other than a covered battery producer;

29.23 (3) any covered battery collector;

29.24 (4) any person providing covered services;

29.25 (5) the state or any political subdivision; or

29.26 (6) any other person that is not a covered battery producer.

29.27 **EFFECTIVE DATE.** This section is effective July 1, 2026.

29.28 Sec. 5. **[115A.1337] COVERED BATTERY STEWARDSHIP ORGANIZATION;**
 29.29 **DUTIES AND STRUCTURE.**

29.30 Subdivision 1. **Duties to covered battery collectors.** (a) A covered battery stewardship
 29.31 organization must ensure that the following are provided to each covered battery collector:

30.1 (1) reimbursement at the rates determined according to section 115A.1335 and the system
30.2 described in a covered battery stewardship plan;

30.3 (2) pickup and transport of collected covered batteries from each covered battery
30.4 collection site in sufficient time and quantity to allow a covered battery collector to safely
30.5 receive covered batteries without interruption or cost to the covered battery collector;

30.6 (3) appropriate containers for storage and transportation of covered batteries and supplies
30.7 necessary for the collection of covered batteries;

30.8 (4) signage to identify collection sites and the covered batteries accepted at the collection
30.9 sites;

30.10 (5) training for covered battery collection site employees on identifying and safely
30.11 handling and storing covered batteries, including damaged, defective, or recalled batteries,
30.12 also known as DDR batteries; and

30.13 (6) educational materials that address the information described in subdivision 4,
30.14 paragraph (a), clause (3), for distribution to members of the public and businesses in
30.15 Minnesota. The educational materials must be made available in English and at least the
30.16 three languages most commonly spoken at homes in the state other than English, according
30.17 to the state demographer.

30.18 (b) A covered battery stewardship organizations must consider the request of a covered
30.19 battery collector to perform covered services if the covered battery collector meets the
30.20 performance standards in a covered battery stewardship plan under section 115A.1335,
30.21 subdivision 2, paragraph (a), clause (14), and the covered battery collector and the covered
30.22 battery stewardship organization agree after negotiation in good faith on the fees to be paid
30.23 to the covered battery collector for performing the covered services. A covered battery
30.24 stewardship plan must identify the covered battery collector as providing covered services
30.25 according to section 115A.1335, subdivision 2, paragraph (a), clause (5).

30.26 (c) A covered battery stewardship organizations must allow the following persons to
30.27 serve as a covered battery collector:

30.28 (1) a person that agrees to operate or continues to operate a covered battery collection
30.29 site in compliance with:

30.30 (i) section 115A.1341, subdivision 1, paragraphs (a) and (d);

30.31 (ii) section 115A.1341, subdivision 1, paragraph (b) or (c), as applicable;

31.1 (iii) the conditions in section 115A.1335, subdivision 2, paragraph (a), clauses (17) to
31.2 (20), (22), and (23); and

31.3 (iv) any other applicable provisions of a covered battery stewardship plan in section
31.4 115A.1335; and

31.5 (2) a household hazardous waste management program.

31.6 (d) A covered battery stewardship organization may not require a person that sells, offers
31.7 for sale or promotional purposes, distributes, or facilitates a sale of a covered battery or
31.8 battery-containing product in or into the state to be a covered battery collector or operate a
31.9 covered battery collection site.

31.10 (e) A covered battery stewardship organization may terminate a covered battery collector,
31.11 except a household hazardous waste management program, and cease payment to the covered
31.12 battery collector for good cause. Good cause under this paragraph does not include accepting
31.13 a battery subject to recall. A covered battery stewardship organization may suspend a covered
31.14 battery collector that is a household hazardous waste management program and cease
31.15 payment to the covered battery collector for good cause with the approval of the
31.16 commissioner, until the commissioner determines that the household hazardous waste
31.17 management program is compliant with sections 115A.1331 to 115A.1347.

31.18 Subd. 2. **Accessibility.** (a) A covered battery stewardship program must provide
31.19 convenient, equitable, and accessible service to all persons in Minnesota, including but not
31.20 limited to people of color; Minnesota Tribal governments as defined in section 10.65,
31.21 subdivision 2; those that are non-English speaking; immigrant and refugee communities;
31.22 those with limited access to transportation; and those in environmental justice areas.

31.23 (b) A covered battery stewardship program must include collection opportunities beyond
31.24 those required under section 115A.1335, subdivision 3, to better serve populations under
31.25 paragraph (a).

31.26 (c) Where feasible, a covered battery stewardship program must encourage establishing
31.27 covered battery collection sites in proximity to local public transit.

31.28 Subd. 3. **Oversight.** A covered battery stewardship organization must ensure that covered
31.29 batteries and residual materials managed under a covered battery stewardship program are
31.30 managed according to the performance standards in section 115A.1335, subdivision 2,
31.31 paragraph (a), clause (14), by all persons providing covered services.

32.1 Subd. 4. Program effectiveness. (a) To support the effectiveness of a covered battery
32.2 stewardship program, a covered battery stewardship organization must provide outreach
32.3 and education to:

32.4 (1) persons that might sell, offer for sale or promotional purposes, distribute, or facilitate
32.5 a sale of covered batteries in or into the state, to inform them of the requirements of section
32.6 115A.1347, subdivision 2;

32.7 (2) potential covered battery collectors and persons that are collecting covered batteries
32.8 before the effective date of this section to inform them how to request coverage by a covered
32.9 battery stewardship program; and

32.10 (3) members of the public to raise awareness of:

32.11 (i) public health and safety and environmental risks caused by improperly charging,
32.12 storing, and disposing of covered batteries;

32.13 (ii) the need to safely charge and store covered batteries;

32.14 (iii) the benefits of recycling covered batteries in contrast to disposal; and

32.15 (iv) the existence of a covered battery stewardship program and the ability to manage
32.16 covered batteries at no cost, including the location and convenience of covered battery
32.17 collection sites in the state.

32.18 (b) A covered battery stewardship organization must maintain a publicly accessible
32.19 website to locate covered battery collection sites through map-based and text-based searches.

32.20 (c) The commissioner may determine the effectiveness of a covered battery stewardship
32.21 program using information from waste composition studies under section 115A.412 and
32.22 other information available to the commissioner. The commissioner may require a covered
32.23 battery stewardship organization to submit for approval proposals that when implemented
32.24 would decrease the incidence of covered batteries in solid waste in accordance with section
32.25 115A.1335, subdivision 2, paragraph (a), clause (39). A covered battery stewardship
32.26 organization must implement a proposal that is approved by the commissioner.

32.27 Subd. 5. Stakeholder consultation. (a) A covered battery stewardship organization
32.28 must regularly consult with stakeholders associated with covered batteries. If there is more
32.29 than one covered battery stewardship organization, each covered battery stewardship
32.30 organization must jointly fulfill the requirements of this subdivision. At least one consultation
32.31 meeting must occur before a covered battery stewardship plan is submitted to the
32.32 commissioner.

33.1 (b) A consultation meeting is to:

33.2 (1) assist with drafting and continuous review of a covered battery stewardship
33.3 organization's outreach and education activities, including but not limited to signage and
33.4 educational materials; and

33.5 (2) make recommendations to a covered battery stewardship organization and the
33.6 commissioner to continuously improve the effectiveness of the outreach and education
33.7 activities and maximize participation in a covered battery stewardship program.

33.8 (c) A meeting must include representatives of stakeholders of a covered battery
33.9 stewardship program, including but not limited to the commissioner, household hazardous
33.10 waste management programs, covered battery collectors that are not household waste
33.11 management programs, persons providing or that might provide covered services, producers,
33.12 and other persons providing statewide representation.

33.13 Subd. 6. **Reporting.** By June 1 each year after a covered battery stewardship plan is
33.14 approved under section 115A.1335, subdivision 4, a covered battery stewardship organization
33.15 must report to the commissioner, in a form and manner prescribed by the commissioner,
33.16 on the covered battery stewardship organization's activities during the preceding calendar
33.17 year. A report must include:

33.18 (1) the address, county of location, and geolocation data for each covered battery
33.19 collection site served by the covered battery stewardship program during the preceding
33.20 calendar year;

33.21 (2) the chemistry by weight of covered batteries collected during each calendar year, in
33.22 accordance with section 115A.1335, subdivision 2, paragraph (a), clause (25);

33.23 (3) a description by chemistry by weight of the end management through recycling or
33.24 disposal of the covered batteries shipped from covered battery collection sites under the
33.25 covered battery stewardship program, in accordance with section 115A.1335, subdivision
33.26 2, paragraph (a), clause (38);

33.27 (4) the method or methods of verification used by the covered battery stewardship
33.28 organization to ensure that the description in clause (3) accurately reflects the actual end
33.29 management of the covered batteries;

33.30 (5) the effectiveness of the covered battery stewardship organization's efforts to decrease
33.31 the incidence of covered batteries in solid waste in the state, in accordance with section
33.32 115A.1335, subdivision 2, paragraph (a), clause (39);

34.1 (6) a summary of the results of the oversight according to section 115A.1335, subdivision
34.2 2, paragraph (a), clause (14);

34.3 (7) a description of outreach and education activities provided by the covered battery
34.4 stewardship organization during the preceding calendar year according to subdivision 4;

34.5 (8) a financial report on the covered battery stewardship program, including actual costs
34.6 and funding compared to the budget for the year submitted under section 115A.1335,
34.7 subdivision 2, paragraph (b). The financial report must include an audit report of the covered
34.8 battery stewardship program, including the covered battery stewardship organization and
34.9 any additional covered battery stewardship organizations, by an independent auditor. The
34.10 independent auditor may be selected by the covered battery stewardship organization and
34.11 may be rejected by the commissioner for good cause. If the commissioner rejects an
34.12 independent auditor, the covered battery stewardship organization must select a different
34.13 independent auditor, which may be rejected by the commissioner for good cause;

34.14 (9) the proposed and actual budget for the period covered by the report; and

34.15 (10) starting in the second year after the covered battery stewardship organization's first
34.16 covered battery stewardship plan is approved by the commissioner, and then every third
34.17 year thereafter, a performance audit of the covered battery stewardship program. The
34.18 performance audit must conform to audit standards established by the United States
34.19 Government Accountability Office; the National Association of State Auditors, Comptrollers
34.20 and Treasurers; or another nationally recognized organization approved by the commissioner.

34.21 Subd. 7. **Organization of a covered battery stewardship organization.** (a) A covered
34.22 battery stewardship organization must comply with section 5.36.

34.23 (b) A covered battery stewardship organization may contract with any persons to
34.24 implement or administer a portion or portions of a covered battery stewardship plan or to
34.25 coordinate with a group or groups of participants.

34.26 (c) A contract established under paragraph (b) must be described under section
34.27 115A.1335, subdivision 2, paragraph (a), clause (6).

34.28 (d) Notwithstanding any contract established under paragraph (b), a covered battery
34.29 stewardship organization must:

34.30 (1) submit a covered battery stewardship plan to the commissioner meeting the
34.31 requirements of sections 115A.1331 to 115A.1347;

34.32 (2) submit a report to the commissioner according to subdivision 6 meeting the
34.33 requirements of sections 115A.1331 to 115A.1347;

35.1 (3) serve as the single point of contact for reporting, reimbursement, and payment to the
35.2 agency; and

35.3 (4) maintain all responsibility and liability for compliance with all other requirements
35.4 of sections 115A.1331 to 115A.1347 applicable to a covered battery stewardship organization.

35.5 **EFFECTIVE DATE.** This section is effective July 1, 2026.

35.6 Sec. 6. **[115A.1339] FEES.**

35.7 Subdivision 1. **Administrative fees.** (a) By October 1, 2027, the commissioner must
35.8 calculate the sum of all costs that the agency incurred to implement and administer sections
35.9 115A.1331 to 115A.1347 from July 1, 2026, to June 30, 2027.

35.10 (b) By December 1, 2027, the commissioner must assess an administrative fee and
35.11 equally split the fee among all covered battery stewardship organizations at an amount that
35.12 is adequate to reimburse the agency's costs calculated under paragraph (a). A covered battery
35.13 stewardship organization must pay the assessed administrative fee by the due date set by
35.14 the commissioner.

35.15 (c) By April 1, 2028, and annually thereafter, the commissioner must calculate the sum
35.16 of all costs that the agency incurred to implement and administer sections 115A.1331 to
35.17 115A.1347 during the six months of July through December of the preceding calendar year.
35.18 By October 1, 2028, and annually thereafter, the commissioner must calculate the sum of
35.19 all costs that the agency incurred to implement and administer sections 115A.1331 to
35.20 115A.1347 during the six months of January through June of that calendar year.

35.21 (d) Notwithstanding section 16A.1283, the commissioner must semiannually assess the
35.22 annual administrative fees and equally split the fees among all covered battery stewardship
35.23 organizations at an amount that is adequate to reimburse the agency's costs calculated under
35.24 paragraph (c). A covered battery stewardship organization must pay the assessed
35.25 administrative fees by the due dates set by the commissioner.

35.26 (e) All agency costs calculated under this subdivision may be recovered in a civil action
35.27 brought by the attorney general against any person that may be liable under this subdivision
35.28 or any other law. Any costs that are recovered by the attorney general, including any award
35.29 of attorney fees, must be deposited in the covered battery stewardship account in the special
35.30 revenue fund.

35.31 Subd. 2. **Disposition of fees.** The total amount of net fees collected under this section
35.32 must not exceed the amount necessary to reimburse agency costs as calculated under
35.33 subdivision 1. All fees received under subdivision 1 must be deposited in the state treasury

36.1 and credited to a covered battery stewardship account in the special revenue fund. The
36.2 amount collected under this section is annually appropriated to the commissioner to
36.3 implement and enforce sections 115A.1331 to 115A.1347.

36.4 **EFFECTIVE DATE.** This section is effective July 1, 2026.

36.5 Sec. 7. **[115A.1341] COVERED BATTERY COLLECTOR DUTIES.**

36.6 Subdivision 1. **Accepting covered batteries.** (a) A covered battery collector must accept
36.7 covered batteries of any brand, type, or chemistry without imposing a fee, charge, surcharge,
36.8 or other cost to any person other than a covered battery stewardship organization.

36.9 (b) At a covered medium battery collection site, a covered battery collector must accept
36.10 from any person daily at least:

36.11 (1) ten covered small batteries; and

36.12 (2) four covered medium batteries.

36.13 (c) At a covered small battery collection site, a covered battery collector must accept
36.14 from any person daily at least ten covered small batteries.

36.15 (d) A covered battery collection site must be open to receiving covered batteries at least
36.16 12 operating hours per week, 50 weeks each calendar year.

36.17 (e) A household hazardous waste management program may accept covered batteries
36.18 at any covered battery collection site that the program operates.

36.19 (f) A covered battery stewardship organization may count a covered battery collection
36.20 site when demonstrating compliance with the convenience standards under section
36.21 115A.1335, subdivision 3, only if the covered battery collection site complies with paragraph
36.22 (b) or (c).

36.23 Subd. 2. **Storing accepted covered batteries.** A covered battery collector must manage
36.24 and store all accepted covered batteries safely and in compliance with all applicable federal,
36.25 state, and local laws, including but not limited to applicable rules adopted under section
36.26 116.07 for managing solid waste and hazardous waste.

36.27 Subd. 3. **Training.** A covered battery collector must ensure and document that training
36.28 is provided for covered battery collection site employees on identifying and safely handling
36.29 and storing covered batteries, including damaged, defective, or recalled batteries, also known
36.30 as DDR batteries. A covered battery collector may provide the training or may receive
36.31 training through a covered battery stewardship organization.

37.1 Subd. 4. **Record keeping.** (a) A covered battery collector must maintain records as
37.2 specified in this paragraph for at least three years and make the records available to the
37.3 commissioner for inspection. The records must include the chemistry by weight of covered
37.4 batteries and any additional information required by the commissioner. The records must
37.5 document for each calendar year the covered batteries:

37.6 (1) accepted at a covered battery collection site; and

37.7 (2) shipped from a covered battery collection site.

37.8 (b) A covered battery collector must maintain documentation of each employee's training
37.9 related to covered batteries starting on the date of training and for at least three years
37.10 following the last day that the employee worked for the covered battery collector.

37.11 **EFFECTIVE DATE.** This section is effective July 1, 2026.

37.12 Sec. 8. **[115A.1345] OTHER AUTHORITIES AND DUTIES.**

37.13 Subdivision 1. **Limited private right of action against producers.** (a) Except as
37.14 provided in paragraph (d), a covered battery stewardship organization may maintain a civil
37.15 action against one or more covered battery producers to recover a portion of the covered
37.16 battery stewardship organization's costs and additional amounts according to this subdivision.

37.17 (b) Damages recoverable under this subdivision may not exceed a fair share of the actual
37.18 costs incurred by the plaintiff covered battery stewardship organization under sections
37.19 115A.1331 to 115A.1347; of managing covered batteries of other covered battery producers
37.20 that were not participants; or that should otherwise have been due to the covered battery
37.21 stewardship organization. Additional amounts recoverable under this subdivision include
37.22 an award of reasonable attorney fees and costs. If a defendant covered battery producer did
37.23 not participate in a covered battery stewardship program during the period when covered
37.24 batteries of the defendant were managed by the plaintiff covered battery stewardship
37.25 organization, a punitive sum of up to three times the damages awarded may be assessed.

37.26 (c) A plaintiff covered battery stewardship organization may establish a defendant
37.27 covered battery producer's fair share of the plaintiff's actual costs by providing the court
37.28 with information establishing the process by which the defendant covered battery producer's
37.29 share of covered battery stewardship program costs would have been allocated had the
37.30 defendant covered battery producer been a participant in the program or paid its allocated
37.31 share if it was a participant. A plaintiff covered battery stewardship organization may use
37.32 data from covered battery producers similar in covered battery, financial status, or market
37.33 share to the defendant covered battery producer to provide the information.

38.1 (d) An action may not be commenced under this subdivision against a potential defendant
38.2 until 60 days after the plaintiff provides to all potential defendants a written notice of the
38.3 claim setting forth the amount of the claim and the basis for the calculation of the amount.

38.4 (e) No action may be brought under this subdivision against a person other than a covered
38.5 battery producer.

38.6 (f) The commissioner may not be a party to or be required to provide assistance or
38.7 otherwise participate in a civil action authorized under this subdivision unless subject to a
38.8 subpoena before a court of jurisdiction.

38.9 Subd. 2. **Conduct authorized.** A covered battery producer or covered battery stewardship
38.10 organization that organizes collection and covered services for covered batteries under
38.11 sections 115A.1331 to 115A.1347 is immune from liability for the conduct under state laws
38.12 relating to antitrust, restraint of trade, unfair trade practices, and other regulation of trade
38.13 or commerce only to the extent that the conduct is necessary to plan and implement the
38.14 covered battery producer's or covered battery stewardship organization's chosen system.

38.15 Subd. 3. **Duty to retain and provide information.** (a) Upon request of the commissioner
38.16 for purposes of implementing sections 115A.1331 to 115A.1347, 115A.9157, or 325E.125,
38.17 a person must furnish to the commissioner any information that the person has or may
38.18 reasonably obtain.

38.19 (b) A covered battery stewardship organization must retain any information referenced
38.20 in a covered battery stewardship plan or report required under section 115A.1337 for at
38.21 least three years after the termination of the covered battery stewardship plan.

38.22 Subd. 4. **Contracts.** (a) Any person awarded a contract under chapter 16C for purchase
38.23 or lease of covered batteries that is found to be in violation of sections 115A.1331 to
38.24 115A.1347 is subject to the following sanctions:

38.25 (1) the contract must be voided if the commissioner of administration determines that
38.26 the potential adverse impact to the state is exceeded by the benefit obtained from voiding
38.27 the contract; and

38.28 (2) the contractor is subject to suspension and disbarment under Minnesota Rules, part
38.29 1230.1150.

38.30 (b) If the attorney general establishes that any money, property, or benefit was obtained
38.31 by a contractor as a result of violating sections 115A.1331 to 115A.1347, the court may, in
38.32 addition to any other remedy, order the disgorgement of the unlawfully obtained money,
38.33 property, or benefit.

39.1 Subd. 5. **Multistate implementation.** The commissioner may participate in establishing
 39.2 a regional multistate organization or compact to assist in carrying out the requirements of
 39.3 sections 115A.1331 to 115A.1347.

39.4 Subd. 6. **Rules.** The commissioner may adopt rules to implement sections 115A.1331
 39.5 to 115A.1347. The 18-month time limit under section 14.125 does not apply to rulemaking
 39.6 under this subdivision.

39.7 Subd. 7. **Batteries subject to recall for safety reasons.** All costs for receipt, sorting,
 39.8 storage, transport, processing, recycling, and disposal of a battery subject to recall for safety
 39.9 reasons that would otherwise be a covered battery are the responsibility of the person that
 39.10 would otherwise be the covered battery producer of the battery. A covered battery stewardship
 39.11 organization may charge that person for any costs incurred by the covered battery stewardship
 39.12 organization managing such a battery. The covered battery stewardship organization may
 39.13 take action under subdivision 1 to recover such costs. A covered battery stewardship
 39.14 organization is responsible only for collection and management of such a battery if received
 39.15 by a covered battery collector, and not any other actions associated with recall of the battery.

39.16 **EFFECTIVE DATE.** This section is effective July 1, 2026.

39.17 Sec. 9. **[115A.1347] DISPOSAL PROHIBITIONS; BATTERY LABELING;**
 39.18 **COVERED BATTERY SALES RESTRICTION.**

39.19 Subdivision 1. **Disposal prohibition.** (a) A person may not place a covered battery into:

39.20 (1) solid waste; or

39.21 (2) a recycling container that a covered battery collector, or another person that will
 39.22 ensure proper management of collected covered batteries, has not clearly marked for use
 39.23 for collecting covered batteries.

39.24 (b) A person must manage a covered battery that is discarded by delivering the covered
 39.25 battery to a covered battery collection site or to a recycling facility for covered batteries.

39.26 (c) Until recycled, covered batteries are not exempt from any applicable rules adopted
 39.27 under section 116.07 for managing hazardous waste.

39.28 (d) An owner or operator of a waste facility or recycling facility may only be found in
 39.29 violation of paragraph (a) or (b) for a covered battery placed by another person if:

39.30 (1) the commissioner first determines that the owner or operator has not complied with
 39.31 the applicable requirements of the solid waste permit issued by the commissioner or

40.1 established by rule, such as requirements for the management of materials that are prohibited
40.2 for placement in solid waste; and

40.3 (2) the owner or operator does not immediately remove and properly manage the covered
40.4 battery when the owner or operator discovers it.

40.5 Subd. 2. **Labeling and sale; requirements.** (a) A person may not sell, including online
40.6 sales; offer for sale or promotional purposes; distribute; or facilitate a sale of a covered
40.7 battery in or into the state unless the covered battery is labeled as required under clauses
40.8 (1) and (2). Labeling under this paragraph must be permanently marked on or affixed to the
40.9 covered battery and must use language, graphics, or a QR code. A QR code must be
40.10 compliant with International Organization of Standardization 18004:2015 and access
40.11 equivalent data via the Internet that is available without a fee or a requirement to create an
40.12 account. The labeling must identify:

40.13 (1) the battery chemistry employed to store energy in the battery; and

40.14 (2) the manufacturer of the battery or the brand under which the battery will be sold.

40.15 (b) A person may not sell, including online sales; offer for sale or promotional purposes;
40.16 distribute; or facilitate a sale of a covered battery or a battery-containing product in or into
40.17 the state unless:

40.18 (1) the covered battery producer is named as a participant in a covered battery stewardship
40.19 plan published on the agency's publicly accessible website under section 115A.1335,
40.20 subdivision 4, paragraph (e), or 5, paragraph (a);

40.21 (2) the brand is named as covered in a covered battery stewardship plan published on
40.22 the agency's publicly accessible website under section 115A.1335, subdivision 4, paragraph
40.23 (e), or 5, paragraph (a); or

40.24 (3) the covered battery stewardship organization with which the covered battery producer
40.25 is a participant has obtained approval of reimbursement rates according to section 115A.1335.

40.26 (c) A person may not sell, including online sales; offer for sale or promotional purposes;
40.27 distribute; or facilitate a sale of a covered battery or a battery-containing product in or into
40.28 the state if the covered battery stewardship plan under which the covered battery was covered
40.29 has been terminated under section 115A.1335, subdivision 5, until a new covered battery
40.30 stewardship plan is approved under section 115A.1335, subdivision 4.

40.31 (d) This subdivision does not apply to sales, including online sales; offers for sale or
40.32 promotional purposes; distribution; or facilitation of a sale of a used covered battery or used
40.33 battery-containing product.

41.1 (e) A person is not in violation of paragraph (b) or (c) if, within six months before the
 41.2 date the person sells, offers for sale or promotional purposes, distributes, or facilitates a sale
 41.3 of a covered battery or battery-containing product in or into the state, a covered battery
 41.4 stewardship plan published on the agency's publicly accessible website under section
 41.5 115A.1335, subdivision 4, paragraph (e), or 5, paragraph (a), identified the covered battery
 41.6 producer as a participant or the brand as covered in a covered battery stewardship program.

41.7 **EFFECTIVE DATE.** This section is effective July 1, 2029.

41.8 Sec. 10. Minnesota Statutes 2024, section 115A.554, is amended to read:

41.9 **115A.554 AUTHORITY OF SANITARY DISTRICTS.**

41.10 A sanitary district has the authorities and duties of counties within the district's boundary
 41.11 for purposes of sections 115A.0716; 115A.46, subdivisions 4 and 5; 115A.48; 115A.551;
 41.12 115A.552; 115A.553; 115A.919; 115A.929; 115A.93; 115A.96, subdivision 6; ~~115A.961;~~
 41.13 116.072; 375.18, subdivision 14; 400.04; 400.06; 400.07; 400.08; 400.16; and 400.161.

41.14 **EFFECTIVE DATE.** This section is effective July 1, 2026.

41.15 Sec. 11. Minnesota Statutes 2024, section 115A.9157, is amended to read:

41.16 **115A.9157 RECHARGEABLE BATTERIES AND PRODUCTS.**

41.17 Subdivision 1. **Definition.** ~~For the purpose of this section, "rechargeable battery" means~~
 41.18 ~~a sealed nickel-cadmium battery, a sealed lead acid battery, or any other rechargeable battery,~~
 41.19 ~~except a rechargeable battery governed by section 115A.9155 or exempted by the~~
 41.20 ~~commissioner under subdivision 9.~~ The terms used in this section have the meanings given
 41.21 in sections 115A.03 and 115A.1331.

41.22 Subd. 2. **Prohibition.** ~~Effective August 1, 1991, a person may not place in mixed~~
 41.23 ~~municipal solid waste a rechargeable battery, a rechargeable battery pack, a product with a~~
 41.24 ~~nonremovable rechargeable battery, or a product powered by rechargeable batteries or~~
 41.25 ~~rechargeable battery pack, from which all batteries or battery packs have not been removed.~~
 41.26 A person may not place a product powered by rechargeable batteries in solid waste unless
 41.27 all batteries have been removed from the product.

41.28 Subd. 3. **Collection and management costs.** A manufacturer of ~~rechargeable batteries~~
 41.29 ~~or products powered by rechargeable batteries~~ that are not easily removable from the products
 41.30 is responsible for the costs of collecting and managing its waste rechargeable batteries and
 41.31 waste products under subdivision 5 to ensure that the products and batteries are not part of
 41.32 the solid waste stream.

42.1 Subd. 5. **Collection and management programs.** ~~(a) By September 20, 1995, the~~
 42.2 ~~manufacturers~~ A manufacturer under subdivision 3 or their representative organization shall
 42.3 implement a permanent programs, based on the results of the pilot projects required in
 42.4 ~~Minnesota Statutes 1994, section 115A.9157, subdivision 4,~~ program that may be reasonably
 42.5 expected to collect 90 percent of the ~~waste rechargeable batteries and the~~ participating
 42.6 ~~manufacturers'~~ manufacturer's products powered by rechargeable batteries that are not easily
 42.7 removable from the products and that are generated as waste in the state. The ~~batteries and~~
 42.8 products collected must be recycled or otherwise managed or disposed of properly.

42.9 (b) In every odd-numbered year ~~after 1995~~, each manufacturer or a representative
 42.10 organization shall provide information to the commissioner and the senate and house of
 42.11 representatives committees having jurisdiction over environment and natural resources and
 42.12 environment and natural resources finance that specifies at least the estimated amount of
 42.13 battery-containing products powered by rechargeable batteries that are not easily removed
 42.14 from the products subject to this section ~~and~~ generated as waste in the state by ~~each~~
 42.15 manufacturer ~~and~~, the amount of ~~batteries each~~ such products collected during the previous
 42.16 two years, and the methodology used to calculate those amounts. A representative
 42.17 organization may report the amounts in aggregate for all the members of the organization.

42.18 Subd. 6. ~~List of participants~~ **Program notice.** A manufacturer or its representative
 42.19 organization shall inform the commissioner and the committees listed in subdivision 5 when
 42.20 they begin ~~participating in the projects and programs~~ implementing a program under
 42.21 subdivision 5 and immediately if they ~~withdraw participation~~ stop implementing a program.

42.22 Subd. 7. **Contracts.** A manufacturer or a representative organization of manufacturers
 42.23 may contract with ~~the state or a political subdivision~~ any person to provide collection services
 42.24 under this section. The manufacturer or organization shall fully reimburse the ~~state or~~
 42.25 ~~political subdivision~~ person for the value of any contractual services rendered under this
 42.26 subdivision.

42.27 Subd. 8. **Anticompetitive conduct.** A manufacturer or organization of manufacturers
 42.28 and its officers, members, employees, and agents who participate in ~~projects or programs~~
 42.29 ~~to collect and properly manage waste rechargeable batteries or products powered by~~
 42.30 ~~rechargeable batteries~~ a program under this section are immune from liability under state
 42.31 law relating to antitrust, restraint of trade, unfair trade practices, and other regulation of
 42.32 trade or commerce for activities related to the collection and management of ~~batteries and~~
 42.33 products required under this section.

43.1 ~~Subd. 9. **Exemptions.** To ensure that new types of batteries do not add additional~~
 43.2 ~~hazardous or toxic materials to the mixed municipal solid waste stream, the commissioner~~
 43.3 ~~of the agency may exempt a new type of rechargeable battery from the requirements of this~~
 43.4 ~~section if it poses no unreasonable hazard when placed in and processed or disposed of as~~
 43.5 ~~part of a mixed municipal solid waste.~~

43.6 **EFFECTIVE DATE.** This section is effective July 1, 2026.

43.7 Sec. 12. Minnesota Statutes 2024, section 116.92, subdivision 6, is amended to read:

43.8 Subd. 6. **Mercury thermometers prohibited.** (a) A manufacturer, wholesaler, or retailer
 43.9 may not sell or distribute at no cost a thermometer containing mercury that was manufactured
 43.10 after June 1, 2001.

43.11 (b) Paragraph (a) does not apply to an electronic thermometer with a battery containing
 43.12 mercury if the battery is in compliance with ~~section 325E.125~~ subdivision 8l.

43.13 (c) A manufacturer is in compliance with this subdivision if the manufacturer:

43.14 (1) has received an exclusion or exemption from a state that is a member of the Interstate
 43.15 Mercury Education and Reduction Clearinghouse (IMERC) for replacement parts when no
 43.16 alternative is available or for an application when no feasible alternative is available;

43.17 (2) submits a copy of the approved exclusion or exemption to the commissioner; and

43.18 (3) meets all of the requirements in the approved exclusion or exemption for the
 43.19 manufacturer's activities within the state.

43.20 **EFFECTIVE DATE.** This section is effective July 1, 2026.

43.21 Sec. 13. Minnesota Statutes 2024, section 116.92, is amended by adding a subdivision to
 43.22 read:

43.23 Subd. 8l. **Ban; mercury in batteries.** A person may not sell, offer for sale, or distribute
 43.24 in or into the state:

43.25 (1) an alkaline manganese battery that contains mercury that is not a button cell
 43.26 nonrechargeable battery;

43.27 (2) a nonrechargeable button cell battery that contains more than 25 milligrams of
 43.28 mercury; or

43.29 (3) a dry cell battery containing a mercuric oxide electrode.

43.30 **EFFECTIVE DATE.** This section is effective July 1, 2026.

44.1 Sec. 14. Minnesota Statutes 2024, section 325E.125, subdivision 5, is amended to read:

44.2 Subd. 5. **Prohibitions.** ~~A manufacturer of rechargeable batteries or products powered~~
 44.3 ~~by rechargeable batteries that does not participate in the pilot projects and programs required~~
 44.4 ~~in section 115A.9157. A person may not sell, including online sales, facilitate a sale of,~~
 44.5 distribute, or offer for sale in or into this state rechargeable batteries or products powered
 44.6 by rechargeable batteries ~~after January 1, 1992.~~

44.7 ~~After January 1, 1992, a person who first purchases rechargeable batteries or products~~
 44.8 ~~powered by rechargeable batteries for importation into the state for resale may not purchase~~
 44.9 ~~rechargeable batteries or products powered by rechargeable batteries made by any person~~
 44.10 ~~other than a~~ that are not easily removable unless the manufacturer that participates in the
 44.11 projects and programs program required under section 115A.9157.

44.12 **EFFECTIVE DATE.** This section is effective July 1, 2026.

44.13 Sec. 15. Minnesota Statutes 2024, section 325E.1251, subdivision 2, is amended to read:

44.14 Subd. 2. **Recovery of costs.** Section 325E.125 may be enforced under ~~section~~ sections
 44.15 115.071 and 116.072. In an enforcement action under this section in which the state prevails,
 44.16 the state may recover reasonable administrative expenses, court costs, and attorney fees
 44.17 incurred to take the enforcement action, in an amount to be determined by the court.

44.18 **EFFECTIVE DATE.** This section is effective July 1, 2026.

44.19 Sec. 16. **REPEALER.**

44.20 Minnesota Statutes 2024, sections 115A.9155; 115A.961, subdivisions 1, 2, and 3;
 44.21 325E.125, subdivisions 1, 2, 2a, 3, and 4; and 325E.1251, subdivision 1, are repealed.

APPENDIX
Article locations for S4214-1

ARTICLE 1 ENVIRONMENT AND NATURAL RESOURCES..... Page.Ln 1.14
ARTICLE 2 BATTERY STEWARDSHIP..... Page.Ln 12.24

115A.9155 DISPOSING OF CERTAIN DRY CELL BATTERIES.

Subdivision 1. **Prohibition.** A person may not place in mixed municipal solid waste a dry cell battery containing mercuric oxide electrode, silver oxide electrode, nickel-cadmium, or sealed lead-acid that was purchased for use or used by a government agency, or an industrial, communications, or medical facility.

Subd. 2. **Manufacturer responsibility.** (a) A manufacturer of batteries subject to subdivision 1 shall:

(1) ensure that a system for the proper collection, transportation, and processing of waste batteries exists for purchasers in Minnesota; and

(2) clearly inform each final purchaser of the prohibition on disposal of waste batteries and of the system or systems for proper collection, transportation, and processing of waste batteries available to the purchaser.

(b) To ensure that a system for the proper collection, transportation, and processing of waste batteries exists, a manufacturer shall:

(1) identify collectors, transporters, and processors for the waste batteries and contract or otherwise expressly agree with a person or persons for the proper collection, transportation, and processing of the waste batteries; or

(2) accept waste batteries returned to its manufacturing facility.

(c) At the time of sale of a battery subject to subdivision 1, a manufacturer shall provide in a clear and conspicuous manner a telephone number that the final consumer of the battery can call to obtain information on specific procedures to follow in returning the battery for recycling or proper disposal. The manufacturer may include the telephone number and notice of return procedures on an invoice or other transaction document held by the purchaser. The manufacturer shall provide the telephone number to the commissioner of the agency.

(d) A manufacturer shall ensure that the cost of proper collection, transportation, and processing of the waste batteries is included in the sales transaction or agreement between the manufacturer and any purchaser.

(e) A manufacturer that has complied with this subdivision is not liable under subdivision 1 for improper disposal by a person other than the manufacturer of waste batteries.

115A.961 HOUSEHOLD BATTERIES; COLLECTION, PROCESSING, AND DISPOSAL.

Subdivision 1. **Definition.** For the purposes of this section, "household batteries" means disposable or rechargeable dry cells commonly used as power sources for household or consumer products including, but not limited to, nickel-cadmium, alkaline, mercuric oxide, silver oxide, zinc oxide, lithium, and carbon-zinc batteries, but excluding lead acid batteries.

Subd. 2. **Program.** (a) The commissioner, in consultation with other state agencies, political subdivisions, and representatives of the household battery industry, may develop household battery programs. The commissioner must coordinate the programs with the Legislative-Citizen Commission on Minnesota Resources study on batteries.

(b) The commissioner shall investigate options and develop guidelines for collection, processing, and disposal of household batteries. The options the commissioner may investigate include:

(1) establishing a grant program for counties to plan and implement household battery collection, processing, and disposal projects;

(2) establishing collection and transportation systems;

(3) developing and disseminating educational materials regarding environmentally sound battery management; and

(4) developing markets for materials recovered from the batteries.

(c) The commissioner may also distribute funds to political subdivisions to develop battery management plans and implement those plans.

Subd. 3. **Participation.** A political subdivision, on its own or in cooperation with others, may implement a program to collect, process, or dispose of household batteries. A political subdivision

may provide financial incentives to any person, including public or private civic groups, to collect the batteries.

325E.125 GENERAL AND SPECIAL PURPOSE BATTERY REQUIREMENTS.

Subdivision 1. **Labeling.** (a) The manufacturer of a button cell battery that is to be sold in this state shall ensure that each battery contains no intentionally introduced mercury or is labeled to clearly identify for the final consumer of the battery the type of electrode used in the battery.

(b) The manufacturer of a rechargeable battery that is to be sold in this state shall ensure that each rechargeable battery is labeled to clearly identify for the final consumer of the battery the type of electrode and the name of the manufacturer. The manufacturer of a rechargeable battery shall also provide clear instructions for properly recharging the battery.

Subd. 2. **Mercury content.** (a) Except as provided in paragraph (c), a manufacturer may not sell, distribute, or offer for sale in this state an alkaline manganese battery that contains more than 0.025 percent mercury by weight.

(b) On application, the commissioner of the Pollution Control Agency may exempt a specific type of battery from the requirements of paragraph (a) or (d) if there is no battery meeting the requirements that can be reasonably substituted for the battery for which the exemption is sought. A battery exempted by the commissioner under this paragraph is subject to the requirements of section 115A.9155, subdivision 2.

(c) Notwithstanding paragraph (a), a manufacturer may not sell, distribute, or offer for sale in this state a button cell nonrechargeable battery not subject to paragraph (a) that contains more than 25 milligrams of mercury.

(d) A manufacturer may not sell, distribute, or offer for sale in this state a dry cell battery containing a mercuric oxide electrode.

(e) After January 1, 1996, a manufacturer may not sell, distribute, or offer for sale in this state an alkaline manganese battery, except an alkaline manganese button cell, that contains mercury unless the commissioner of the Pollution Control Agency determines that compliance with this requirement is not technically and commercially feasible.

Subd. 2a. **Approval of new batteries.** A manufacturer may not sell, distribute, or offer for sale in this state a nonrechargeable battery other than a zinc air, zinc carbon, silver oxide, lithium, or alkaline manganese battery, without first having received approval of the battery from the commissioner of the Pollution Control Agency. The commissioner shall approve only batteries that comply with subdivision 1 and do not pose an undue hazard when disposed of. This subdivision is intended to ensure that new types of batteries do not add additional hazardous or toxic materials to the state's mixed municipal waste stream.

Subd. 3. **Rechargeable tools and appliances.** (a) A manufacturer may not sell, distribute, or offer for sale in this state a rechargeable consumer product unless:

(1) the battery can be easily removed by the consumer or is contained in a battery pack that is separate from the product and can be easily removed; and

(2) the product and the battery are both labeled in a manner that is clearly visible to the consumer indicating that the battery must be recycled or disposed of properly and the battery must be clearly identifiable as to the type of electrode used in the battery.

(b) "Rechargeable consumer product" as used in this subdivision means any product that contains a rechargeable battery and is primarily used or purchased to be used for personal, family, or household purposes.

(c) On application by a manufacturer, the commissioner of the Pollution Control Agency may exempt a rechargeable consumer product from the requirements of paragraph (a) if:

(1) the product cannot be reasonably redesigned and manufactured to comply with the requirements prior to the effective date of Laws 1990, chapter 409, section 2;

(2) the redesign of the product to comply with the requirements would result in significant danger to public health and safety; or

(3) the type of electrode used in the battery poses no unreasonable hazards when placed in and processed or disposed of as part of mixed municipal solid waste.

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(d) An exemption granted by the commissioner of the Pollution Control Agency under paragraph (c), clause (1), must be limited to a maximum of two years and may be renewed.

Subd. 4. Rechargeable batteries and products; notice. (a) A person who sells rechargeable batteries or products powered by rechargeable batteries governed by section 115A.9157 at retail shall post the notice in paragraph (b) in a manner clearly visible to a consumer making purchasing decisions.

(b) The notice must be at least four inches by six inches and state:

"ATTENTION USERS OF RECHARGEABLE BATTERIES AND CORDLESS PRODUCTS:

Under Minnesota law, manufacturers of rechargeable batteries, rechargeable battery packs, and products powered by nonremovable rechargeable batteries will provide a special collection system for these items by April 15, 1994. It is illegal to put rechargeable batteries in the garbage. Use the special collection system that will be provided in your area. Take care of our environment.

DO NOT PUT RECHARGEABLE BATTERIES OR PRODUCTS POWERED BY
NONREMOVABLE RECHARGEABLE BATTERIES IN THE GARBAGE."

(c) Notice is not required for home solicitation sales, as defined in section 325G.06, or for catalogue sales.

325E.1251 PENALTY ENFORCEMENT.

Subdivision 1. **Penalty.** Violation of section 325E.125 is a misdemeanor. A manufacturer who violates section 325E.125 is also subject to a minimum fine of \$100 per violation.