

1.1 Senator ..... moves to amend S.F. No. 4214 as follows:

1.2 Delete everything after the enacting clause and insert:

1.3 **"ARTICLE 1**  
1.4 **ENVIRONMENT AND NATURAL RESOURCES**

1.5 Section 1. Laws 2023, chapter 40, article 4, section 2, subdivision 6, as amended by Laws  
1.6 2025, chapter 36, article 4, section 15, is amended to read:

1.7 **Subd. 6. Department of Administration** 17,040,000 14,105,000

1.8 (a) The amounts in this subdivision are  
1.9 appropriated to the commissioner of  
1.10 administration for grants to the named  
1.11 organizations for the purposes specified in this  
1.12 subdivision. The commissioner of  
1.13 administration may use a portion of this  
1.14 appropriation for costs that are directly related  
1.15 to and necessary for the administration of  
1.16 grants in this subdivision.

1.17 (b) Grant agreements entered into by the  
1.18 commissioner and recipients of appropriations  
1.19 under this subdivision must ensure that money  
1.20 appropriated in this subdivision is used to  
1.21 supplement and not substitute for traditional  
1.22 sources of funding.

1.23 **(c) Minnesota Public Radio**  
1.24 \$2,050,000 each year is for Minnesota Public  
1.25 Radio to create programming and expand news  
1.26 service on Minnesota's cultural heritage and  
1.27 history.

1.28 **(d) Association of Minnesota Public Educational**  
1.29 **Radio Stations**  
1.30 \$2,050,000 the first year and \$2,050,000 the  
1.31 second year are to the Association of  
1.32 Minnesota Public Educational Radio Stations  
1.33 for production and acquisition grants in

2.1 accordance with Minnesota Statutes, section  
2.2 129D.19.

2.3 **(e) Public Television**

2.4 \$5,000,000 the first year and \$4,500,000 the  
2.5 second year are to the Minnesota Public  
2.6 Television Association for production and  
2.7 acquisition grants according to Minnesota  
2.8 Statutes, section 129D.18. Of the amount in  
2.9 the first year, \$1,000,000 is for producing  
2.10 Minnesota military and veterans' history  
2.11 stories and unique immigrant stories from  
2.12 around the state.

2.13 **(f) Wilderness Inquiry**

2.14 \$500,000 the first year and \$600,000 the  
2.15 second year are to Wilderness Inquiry to  
2.16 preserve Minnesota's outdoor history, culture,  
2.17 and heritage by connecting Minnesota youth  
2.18 and families to natural resources.

2.19 **(g) Como Park Zoo**

2.20 \$1,725,000 each year is to the Como Park Zoo  
2.21 and Conservatory for program development  
2.22 that features educational programs and habitat  
2.23 enhancement, special exhibits, music  
2.24 appreciation programs, and historical garden  
2.25 access and preservation.

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

2.27 \$825,000 each year is to the Science Museum  
2.28 of Minnesota for arts, arts education, and arts  
2.29 access and to preserve Minnesota's history and  
2.30 cultural heritage, including student and teacher  
2.31 outreach, statewide educational initiatives, and  
2.32 community-based exhibits that preserve  
2.33 Minnesota's history and cultural heritage.

3.1 **(i) Appetite for Change**

3.2 \$200,000 the first year is to the nonprofit  
3.3 Appetite for Change for the Community Cooks  
3.4 programming, which will preserve the cultural  
3.5 heritage of growing and cooking food in  
3.6 Minnesota.

3.7 **(j) Lake Superior Zoo**

3.8 \$150,000 each year is to the Lake Superior  
3.9 Zoo to develop educational exhibits and  
3.10 programs.

3.11 **(k) Great Lakes Aquarium**

3.12 \$250,000 each year is to the Lake Superior  
3.13 Center Authority to prepare, fabricate, and  
3.14 install a hands-on exhibit with interactive  
3.15 learning components to educate Minnesotans  
3.16 on the history of the natural landscape of the  
3.17 state.

3.18 **(l) State Band**

3.19 \$25,000 the first year and \$25,000 the second  
3.20 year are to the Minnesota state band to provide  
3.21 free concerts throughout the state.

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

3.23 \$100,000 the first year is for a grant to the city  
3.24 of Wyoming to build the Veterans Memorial  
3.25 Plaza and related interpretive walk in Railroad  
3.26 Park.

3.27 **(n) Great Northern Festival**

3.28 \$75,000 the first year and \$75,000 the second  
3.29 year are for a grant to support the Great  
3.30 Northern Festival, which connects attendees  
3.31 to parks, outdoor spaces, and cultural venues  
3.32 through a festival.

4.1 **(o) Governor's Council on Developmental**  
4.2 **Disabilities**

4.3 \$50,000 the first year is to the Minnesota  
4.4 Governor's Council on Developmental  
4.5 Disabilities to continue to preserve and raise  
4.6 awareness of the history of Minnesotans with  
4.7 developmental disabilities.

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

4.9 \$125,000 the first year and \$125,000 the  
4.10 second year are to the Minnesota Council on  
4.11 Disability to provide educational opportunities  
4.12 in the arts, history, and cultural heritage of  
4.13 Minnesotans with disabilities in conjunction  
4.14 with the 50th anniversary of the Minnesota  
4.15 Council on Disability. This appropriation is  
4.16 available until June 30, 2027.

4.17 **(q) Keller Regional Park**

4.18 \$500,000 the first year is for a grant to Ramsey  
4.19 County to preserve Minnesota's cultural  
4.20 heritage by enhancing the tuj lub courts at  
4.21 Keller Regional Park.

4.22 **(r) Vietnam War Anniversary**

4.23 \$250,000 the first year is for a grant to the  
4.24 commissioner of veterans affairs to prepare  
4.25 and host a commemoration program for the  
4.26 50th anniversary of the Vietnam War.

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

4.28 \$500,000 the first year is for a grant to  
4.29 ~~Forecast Public Art for an~~ the city of St. Paul  
4.30 for a public art installation celebrating  
4.31 Olympic gold medalist Suni Lee. The project  
4.32 funded by this paragraph must be located in  
4.33 St. Paul at the Conway Recreation Center or,  
4.34 if that site is not practicable, at Lake Phalen

5.1 at the platform containing the bust of Suni  
5.2 Lee. This appropriation is available until June  
5.3 30, ~~2027~~ 2028.

5.4 **(t) One Heartland Center**

5.5 \$50,000 each year is for a grant to One  
5.6 Heartland Center for programming and  
5.7 outdoor activities for families and youth in  
5.8 Minnesota.

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

5.10 \$100,000 the first year is for a grant to the  
5.11 Forest Lake Veterans Memorial Committee  
5.12 to construct a memorial to veterans of the  
5.13 United States armed forces at Lakeside  
5.14 Memorial Park in the city of Forest Lake. This  
5.15 appropriation is available until June 30, 2027.

5.16 **(v) Hmong Plaza**

5.17 \$450,000 the first year is for a grant to the city  
5.18 of St. Paul to construct the Hmong Plaza at  
5.19 Phalen Lake.

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

5.21 \$55,000 the first year and \$55,000 the second  
5.22 year are for a grant to YWCA Minneapolis to  
5.23 fund an annual fellowship to be known as the  
5.24 Camille J. Gage Artist Fellowship. Of this  
5.25 amount, up to \$5,000 each year may be used  
5.26 for administrative expenses. YWCA  
5.27 Minneapolis must select a person for the  
5.28 Camille J. Gage Artist Fellowship after an  
5.29 application process that allows both  
5.30 applications by interested persons and  
5.31 nominations of persons by third parties. By  
5.32 October 1, 2026, YWCA Minneapolis must  
5.33 report to the chairs and ranking minority  
5.34 members of the legislative committees and

6.1 divisions with jurisdiction over legacy on the  
6.2 use of money appropriated under this  
6.3 paragraph and on the activities of the person  
6.4 selected for the Camille J. Gage Artist  
6.5 Fellowship under this paragraph. This  
6.6 appropriation is available until June 30, 2026.

6.7 **(x) Minnesota African American Heritage**  
6.8 **Museum and Gallery**

6.9 \$235,000 the first year and \$125,000 the  
6.10 second year are for arts and cultural heritage  
6.11 programming celebrating African American  
6.12 and Black communities in Minnesota. Of the  
6.13 amount in the first year, \$110,000 is for C.  
6.14 Caldwell Fine Arts for an outdoor mural  
6.15 project in North Minneapolis to work with  
6.16 young people to develop skills while using art  
6.17 as the impetus.

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

6.19 \$25,000 the first year and \$25,000 the second  
6.20 year are for a grant to the Tibetan American  
6.21 Foundation of Minnesota to celebrate and  
6.22 teach the art, culture, and heritage of Tibetan  
6.23 Americans in Minnesota.

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

6.25 \$25,000 the first year is for a grant to Hong  
6.26 De Wu Guan to create cultural arts projects  
6.27 like Lion Dance for after-school programs for  
6.28 youth.

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

6.30 \$50,000 the first year is for a grant to the  
6.31 Sepak Takraw of USA to work with youth and  
6.32 after-school programs in the community to  
6.33 teach the cultural games of tuj lub and sepak

7.1 takraw. This appropriation may not be used  
7.2 to hold events.

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

7.4 \$75,000 the first year and \$75,000 the second  
7.5 year are for a grant to 30,000 Feet, a nonprofit  
7.6 organization, to help youth and community  
7.7 artists further develop their artistic skills, to  
7.8 create community art and artistic  
7.9 performances, and to promote and share  
7.10 African American history and culture through  
7.11 the arts.

7.12 **(cc) Siengkane Lao Minnesota**

7.13 \$50,000 the first year and \$50,000 the second  
7.14 year are for a grant to Siengkane Lao MN to  
7.15 create cultural arts projects and to preserve  
7.16 traditional performances.

7.17 **(dd) Hmong Cultural Center**

7.18 \$150,000 the first year and \$150,000 the  
7.19 second year are for a grant to the Hmong  
7.20 Cultural Center of Minnesota for  
7.21 museum-related programming and educational  
7.22 outreach activities to teach the public about  
7.23 the historical, cultural, and folk arts heritage  
7.24 of Hmong Minnesotans.

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

7.26 \$250,000 the first year and \$250,000 the  
7.27 second year are for a grant to Comunidades  
7.28 Latinas Unidas En Servicio (CLUES) to  
7.29 expand arts programming to celebrate Latino  
7.30 cultural heritage; support local artists; and  
7.31 provide professional development, networking,  
7.32 and presentation opportunities.

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

8.1 \$300,000 the first year and \$300,000 the  
8.2 second year are for grants to recipients who  
8.3 have demonstrated knowledge and interest in  
8.4 preserving Hmong culture to preserve Hmong  
8.5 Minnesotans' heritage, history, language, and  
8.6 culture. Grants must be used in conjunction  
8.7 with Minnesota universities to improve and  
8.8 develop a unified and standardized Latin  
8.9 alphabet form of the Hmong RPA writing  
8.10 system. No portion of this appropriation may  
8.11 be used to encourage religious membership  
8.12 or to conduct personal ceremonies or events.  
8.13 This appropriation is available until June 30,  
8.14 2028.

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

8.16 \$125,000 the first year and \$125,000 the  
8.17 second year are for a grant to the Somali  
8.18 Museum of Minnesota for heritage arts and  
8.19 cultural vitality programs to provide classes,  
8.20 exhibits, presentations, and outreach about the  
8.21 Somali community and heritage in Minnesota.

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

8.23 \$200,000 the first year and \$200,000 the  
8.24 second year are for a grant to the Minnesota  
8.25 Museum of American Art for exhibit  
8.26 programming and for a Native American  
8.27 Fellowship at the museum.

8.28 **(ii) Fanka Programs**

8.29 \$250,000 the first year and \$250,000 the  
8.30 second year are for a grant to Ka Joog  
8.31 statewide Somali-based collaborative  
8.32 programs for arts and cultural heritage. The  
8.33 funding must be used for Fanka programs to  
8.34 provide arts education and workshops, mentor

9.1 programs, and community presentations and  
9.2 community engagement events throughout  
9.3 Minnesota.

9.4 **(jj) The Bakken Museum**

9.5 \$150,000 the first year is for a grant to The  
9.6 Bakken Museum for interactive exhibits and  
9.7 outreach programs on arts and cultural  
9.8 heritage.

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

9.10 \$50,000 the first year is to the University of  
9.11 Minnesota Extension Office to provide grants  
9.12 to Minnesota 4-H chapters that have members  
9.13 participating in state and national  
9.14 4-H-sanctioned shooting sports events.  
9.15 Eligible costs for grant money include  
9.16 shooting sports equipment and supplies and  
9.17 event fees associated with participating in state  
9.18 shooting sports events.

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

9.20 \$75,000 each year is for a grant to Public Art  
9.21 Saint Paul for art programming at the Wakpa  
9.22 Triennial Art Festival to showcase new art  
9.23 across the Twin Cities by Minnesota artists in  
9.24 outdoor and indoor settings and to encourage  
9.25 visitors to experience the arts and culture  
9.26 produced by local arts and culture  
9.27 organizations.

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

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

10.2 Sec. 52. **EFFECTIVE DATE.**

10.3 (a) Sections 4 to 51 4, 7, 10 to 12, 14 to 17, and 19 to 51 are effective upon full  
10.4 implementation of the replacement electronic license, permits, and pass portions of the  
10.5 electronic license system.

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

10.8 (c) The commissioner of natural resources must notify the revisor of statutes when the  
10.9 replacement electronic license system in the sections described in paragraph (a) is fully  
10.10 implemented and when the sections described in paragraph (b) are fully implemented.

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

10.12 Sec. 3. **APPROPRIATION EXTENSIONS.**

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

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

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

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

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

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

11.1 (b) The appropriation in Laws 2023, chapter 60, article 1, subdivision 6, paragraph (h),  
11.2 for a grant to expand Minnesota's wild elk population and range is available until June 30,  
11.3 2027.

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

11.7 (b) The natural resources fund appropriation in Laws 2024, chapter 116, article 1, section  
11.8 5, for grants to implementing agencies to plant trees is available until June 30, 2027.

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

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

11.11 \$3,800,000 in fiscal year 2026 is appropriated from the general fund to the Minnesota  
11.12 Zoological Board. This is a onetime appropriation.

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

11.14 Sec. 5. **APPROPRIATION; STUDY OF UNLAWFUL SHIPMENT OF INFECTIOUS**  
11.15 **OR PATHOLOGICAL WASTE.**

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

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

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

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

- 12.1 (ii) undertaking unannounced inspections of infectious or pathological waste generators.
- 12.2 (b) \$75,000 in fiscal year 2027 is appropriated from the environmental fund to the
- 12.3 commissioner of the Pollution Control Agency to conduct the study required by this section.
- 12.4 This is a onetime appropriation.

## ARTICLE 2

### BATTERY STEWARDSHIP

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

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

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

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

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

- 12.21 (1) an advertiser;

- 12.22 (2) a payment processor; or

- 12.23 (3) a common carrier.

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

- 12.25 Sec. 3. **[115A.1331] STEWARDSHIP PROGRAM FOR COVERED BATTERIES;**
- 12.26 **DEFINITIONS.**

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

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

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

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

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

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

13.7 (d) "Collection" means receipt of discarded covered batteries from a person, including  
13.8 sorting and storage that are necessary for receipt and that are performed by the covered  
13.9 battery collector. Collection does not include transport of a covered battery that occurs after  
13.10 a covered battery collector receives the covered battery, except for transport by the covered  
13.11 battery collector to or between a covered battery collection site or sites operated by the  
13.12 covered battery collector.

13.13 (e) "Covered battery" means a loose battery or a battery that is easily removable. A  
13.14 covered battery may be of any brand, type, physical size, energy capacity, or chemistry. A  
13.15 covered battery includes a covered small battery, covered medium battery, or covered large  
13.16 battery. A covered battery does not include:

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

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

13.19 (3) a battery contained within a medical device, as specified in United States Code, title  
13.20 21, section 321(h), as it existed as of the effective date of this section, that is not designed  
13.21 and marketed for sale or resale principally to consumers for personal use;

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

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

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

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

13.30 (g) "Covered battery collector" means a person that collects covered batteries on behalf  
13.31 of and under agreement with a covered battery stewardship organization and receives  
13.32 reimbursement at the rates determined according to section 115A.1335 from the covered

14.1 battery stewardship organization for the covered battery collector's costs for collection of  
14.2 the covered batteries.

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

14.7 (1) for a covered battery:

14.8 (i) if the covered battery is sold, offered, or distributed under a brand owned by the  
14.9 person that manufactured the covered battery, the producer is the person that manufactured  
14.10 the covered battery;

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

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

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

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

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

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

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

14.30 (iii) if the battery-containing product is sold, offered, or distributed under a brand licensed  
14.31 to a person, the producer is the person that is the licensee of the brand under which the

15.1 battery-containing product is sold, offered, or distributed, whether or not the brand is  
15.2 registered in the state;

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

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

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

15.14 (4) notwithstanding clauses (1) and (2), a person that voluntarily assumes the  
15.15 responsibility of a producer of a covered battery and certifies that they have assumed the  
15.16 responsibility of a producer in writing to the commissioner is the producer of the covered  
15.17 battery.

15.18 (i) "Covered battery stewardship organization" means an organization that contracts  
15.19 with one or more covered battery producers to meet the producers' obligations under sections  
15.20 115A.1331 to 115A.1347.

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

15.24 (k) "Covered battery stewardship program" means a system implemented by a covered  
15.25 battery stewardship organization to manage all covered batteries offered to a covered battery  
15.26 collector by arranging and paying for the collection, covered services, and all other activities  
15.27 described in a covered battery stewardship plan approved by the commissioner under section  
15.28 115A.1335, subdivision 4.

15.29 (l) "Covered large battery" means a covered battery that weighs more than 25 pounds  
15.30 or has an energy capacity greater than 2,000 watt-hours or both. Covered large battery does  
15.31 not include a battery that is designed, manufactured, and intended solely for use in  
15.32 manufacturing, industrial, or other commercial settings.

16.1 (m) "Covered large battery collection site" means a covered battery collection site that  
16.2 meets the requirements of section 115A.1341, subdivision 1, paragraphs (a), (b), and (e).

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

16.6 (o) "Covered medium battery collection site" means a covered battery collection site  
16.7 that meets the requirements of section 115A.1341, subdivision 1, paragraphs (a), (c), and  
16.8 (e).

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

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

16.12 (2) transport of a covered battery by the covered battery collector that collected it to or  
16.13 between a covered battery collection site or sites that are operated by the covered battery  
16.14 collector.

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

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

16.19 (s) "Distribute" means to sell, offer, supply, ship, transport, or deliver a product to a  
16.20 person that sells, offers, supplies, ships, transports, or delivers the product in or into the  
16.21 state, regardless of whether title to the product is ever acquired by a person distributing the  
16.22 product.

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

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

16.26 (2) a paper clip;

16.27 (3) a coin; or

16.28 (4) a hex key.

16.29 (u) "Household hazardous waste management program" means a program established  
16.30 under section 115A.96 to collect and manage household hazardous waste, as defined in  
16.31 section 115A.96, that is established or operated by the agency or another public entity,

17.1 including but not limited to a political subdivision, state agency, or federally recognized  
17.2 Tribe.

17.3 (v) "Independent auditor" means a certified public accountant that:

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

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

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

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

17.9 (w) "Loose battery" means a battery that is not contained in or attached to a product. A  
17.10 loose battery does not include a battery that is contained in an enclosure when the enclosure  
17.11 is not integral to the operation of the battery.

17.12 (x) "Motor vehicle" has the meaning given in section 168.002.

17.13 (y) "Participant" means a covered battery producer that is named by a covered battery  
17.14 stewardship organization as meeting the covered battery producer's obligations under sections  
17.15 115A.1331 to 115A.1347. If one covered battery producer is named as a participant by  
17.16 voluntarily assuming responsibility for a covered battery on behalf of other covered battery  
17.17 producers under paragraph (h), clause (4), then all those covered battery producers are also  
17.18 participants.

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

17.21 (aa) "Residual material" means materials and wastes resulting from processing, recycling,  
17.22 or disposal of covered batteries.

17.23 (bb) "Responsible market" means a market for covered batteries, for reclaimed materials  
17.24 from collected covered batteries, or for any other recyclable residual material from collected  
17.25 covered batteries that:

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

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

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

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

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

18.6 (cc) "Specialized covered battery recycler" means a person that, if and as applicable, is  
18.7 properly authorized by the commissioner or, if operating in another state or country, an  
18.8 equivalent state, federal, or other governmental body, to process, recycle, or reclaim useful  
18.9 materials from covered batteries.

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

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

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

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

18.16 (2) each covered battery stewardship organization must:

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

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

18.20 (b) By January 1, 2029, a covered battery stewardship organization must submit to the  
18.21 commissioner a covered battery stewardship plan that meets all requirements of subdivision  
18.22 2 for review under subdivision 4.

18.23 Subd. 2. **Plan content; budget requirement.** (a) The covered battery stewardship plan  
18.24 must include:

18.25 (1) identification of and contact information for the covered battery stewardship  
18.26 organization;

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

18.29 (i) clearly grant the covered battery stewardship organization the authority to act on  
18.30 behalf of the participants that the covered battery stewardship organization represents to  
18.31 implement the covered battery stewardship plan;

19.1 (ii) include a statement of responsibility of the participants that the covered battery  
19.2 stewardship organization represents to comply with the approved covered battery stewardship  
19.3 plan; and

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

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

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

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

19.17 (6) identification and contact information for those persons that the covered battery  
19.18 stewardship organization has contracted with and that will administer and implement the  
19.19 covered battery stewardship program in accordance with section 115A.1337, subdivision  
19.20 7. The relationship of the other persons to the covered battery stewardship organization and  
19.21 their role in administering and implementing the covered battery stewardship program must  
19.22 be described;

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

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

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

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

20.1 (11) a description of how the covered battery stewardship organization will annually  
20.2 monitor and ensure continuing compliance with the convenience standards under subdivision  
20.3 3;

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

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

20.9 (14) the performance standards for persons providing covered services for the covered  
20.10 battery stewardship organization and the oversight methods by which the covered battery  
20.11 stewardship organization will ensure continuing compliance with the performance standards.  
20.12 The covered battery stewardship organization may determine performance standards, which  
20.13 at a minimum must:

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

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

20.17 (iii) ensure covered batteries and residual materials are managed through responsible  
20.18 markets;

20.19 (15) a description of the oversight methods by which the covered battery stewardship  
20.20 organization will ensure continuing compliance with the performance standards under clause  
20.21 (14);

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

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

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

21.1 (19) a description of methods by which the covered battery stewardship organization  
21.2 will ensure that covered batteries and residual materials managed under the covered battery  
21.3 stewardship program are managed in compliance with safety and health requirements for  
21.4 employees administered by the Department of Labor and Industry and with fire protection  
21.5 requirements administered by the Department of Public Safety while in the state and, when  
21.6 outside the state, with all applicable federal, state, and local employee safety and health  
21.7 requirements and fire protection requirements;

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

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

21.15 (22) 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 transported in compliance with applicable regulations incorporated  
21.18 by reference under section 221.033 for transporting hazardous materials while in the state  
21.19 and, when outside the state, with all applicable legal requirements for transporting hazardous  
21.20 materials;

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

21.24 (24) a statement of indemnification by the covered battery stewardship organization to  
21.25 covered battery collectors for potential liability for improper downstream management of  
21.26 covered batteries or residual materials by providers of covered services arranged for by the  
21.27 covered battery stewardship organization and identified in the covered battery stewardship  
21.28 plan under clause (5);

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

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

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

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

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

22.10 (A) labor, overhead, and supplies;

22.11 (B) necessary collection and storage structures and containers;

22.12 (C) employee training; and

22.13 (D) necessary safety materials;

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

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

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

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

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

22.26 (A) necessary collection and storage structures, containers, and supplies;

22.27 (B) employee training; and

22.28 (C) necessary safety materials;

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

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

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

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

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

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

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

23.19 (i) periodic automatic payment of reimbursements at least annually; or

23.20 (ii) a process for submitting reimbursement requests and reasonable timelines for  
23.21 reimbursement, at intervals no longer than monthly unless otherwise agreed to by the covered  
23.22 battery collector;

23.23 (33) a description of the system by which the covered battery stewardship organization  
23.24 will pay persons providing covered services in a manner that provides:

23.25 (i) a clear process for submitting invoices; and

23.26 (ii) reasonable timelines for payment, at intervals agreed to by the person providing  
23.27 covered services;

23.28 (34) a description of how the covered battery stewardship program costs will be allocated  
23.29 among participants, either individually or among groups of participants identified by the  
23.30 covered battery stewardship organization, such that the costs of managing covered batteries  
23.31 are allocated equitably. As part of this description, a clear assignment of responsibility for  
23.32 costs of managing covered batteries subject to a voluntary or mandatory recall to the

24.1 participant or participants associated with those covered batteries and not other participants  
24.2 must be included;

24.3 (35) a description of how the covered battery stewardship organization will comply with  
24.4 subdivision 6, paragraph (b);

24.5 (36) a description of how the covered battery stewardship organization will ensure that  
24.6 covered batteries and residual materials managed under the covered battery stewardship  
24.7 program are managed to the maximum extent practicable in accordance with section 115A.02,  
24.8 paragraph (b);

24.9 (37) a description of how the covered battery stewardship organization will take actions  
24.10 within its purview and provide feedback for covered battery producers to enable  
24.11 improvements in product design and material use, technology, and personnel training that  
24.12 could raise the future maximum extent practicable for management described in clause (36),  
24.13 including consideration of covered battery reuse, repair, and product life cycle;

24.14 (38) a description of how the covered battery stewardship organization will annually  
24.15 report to the commissioner, by chemistry by weight, the end management through recycling  
24.16 or disposal of covered batteries for which the covered battery stewardship program was  
24.17 responsible during each calendar year; and

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

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

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

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

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

24.33 (3) the producer of a covered battery.

25.1 (b) A covered battery stewardship plan submitted by a covered battery stewardship  
25.2 organization must independently meet the convenience standards in paragraphs (c) to (e)  
25.3 without cost sharing, collaboration, or consideration of activities of another covered battery  
25.4 stewardship organization.

25.5 (c) For covered small batteries, the covered battery stewardship organization must:

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

25.8 (2) in each county with a population greater than 10,000 but less than or equal to 100,000,  
25.9 maintain at least two covered small battery collection sites and at least one additional covered  
25.10 small battery collection site for each additional 10,000 in population above a population of  
25.11 10,000;

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

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

25.17 (d) For covered medium batteries, the covered battery stewardship organization must:

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

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

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

25.25 (e) For covered large batteries, the covered battery stewardship organization must  
25.26 maintain at least four covered large battery collection sites in each of the 11 development  
25.27 regions of the state, as designated by section 462.385, except for region 11, in which ten  
25.28 large battery collection sites must be maintained.

25.29 (f) When demonstrating compliance with paragraphs (c), (d), and (e), a covered battery  
25.30 stewardship organization may count:

25.31 (1) a covered large battery collection site as a covered medium battery collection site  
25.32 and a covered small battery collection site; and

26.1 (2) a covered medium battery collection site as a covered small battery collection site.

26.2 (g) The covered battery stewardship organization must ensure no net loss in estimated  
26.3 collection convenience and capacity for covered batteries from the program in place on  
26.4 January 1, 2026.

26.5 (h) Upon a showing by the covered battery stewardship organization that meeting the  
26.6 convenience standard of paragraph (c), (d), or (e), for a specific county or development  
26.7 region would cause undue hardship to the covered battery stewardship organization, the  
26.8 commissioner may approve an alternative convenience standard if the proposed alternative  
26.9 convenience standard would reasonably result in equivalent covered battery collection  
26.10 convenience.

26.11 Subd. 4. Review of covered battery stewardship plan; implementation. (a) Within  
26.12 120 days after receiving a complete covered battery stewardship plan submitted under this  
26.13 section, the commissioner must determine whether the stewardship plan complies with this  
26.14 section and will ensure that elements required by subdivision 2, paragraph (a), will be met  
26.15 to the maximum extent practicable. The commissioner must provide a written notice of  
26.16 determination according to this subdivision.

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

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

26.22 (d) If the commissioner determines that a covered battery stewardship plan fails to  
26.23 comply with this section or will not ensure that elements required by subdivision 2, paragraph  
26.24 (a), will be met to the maximum extent practicable, the commissioner must reject the covered  
26.25 battery stewardship plan. The commissioner must provide a written notice of determination  
26.26 to the covered battery stewardship organization describing the reasons for the rejection.

26.27 (e) After any consultation under paragraph (b) and review of public comments received  
26.28 under paragraph (c), if the commissioner determines that a covered battery stewardship plan  
26.29 will ensure that elements required by subdivision 2, paragraph (a), will be met to the  
26.30 maximum extent practicable, the commissioner must approve the covered battery stewardship  
26.31 plan. The commissioner must provide a written notice of determination to the covered  
26.32 battery stewardship organization and must publish the approved covered battery stewardship  
26.33 plan on the agency's publicly accessible website within 30 days after approval.

27.1 (f) The covered battery stewardship organization must implement the covered battery  
27.2 stewardship plan approved by the commissioner, including any amendments to the  
27.3 stewardship plan that are approved by the commissioner according to subdivision 5, within  
27.4 60 days after receiving written notice of approval.

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

27.10 **Subd. 5. Amending or terminating a covered battery stewardship plan.** (a) The  
27.11 covered battery stewardship organization may amend a covered battery stewardship plan  
27.12 approved under subdivision 4 without review or approval by the commissioner to make the  
27.13 changes specified in clauses (1) to (3). Within 30 days after adopting an amendment under  
27.14 this paragraph, the covered battery stewardship organization must report the amendment to  
27.15 the commissioner and the commissioner must publish the amended stewardship plan on the  
27.16 agency's publicly accessible website. The covered battery stewardship organization must  
27.17 implement amendments made to a stewardship plan under this paragraph within 60 days  
27.18 after adopting the amendment. The covered battery stewardship organization may:

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

27.22 (2) add or remove participants or brands covered under the covered battery stewardship  
27.23 plan; or

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

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

27.31 (c) The covered battery stewardship organization must submit an amended covered  
27.32 battery stewardship plan for review:

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

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

28.3 (d) The covered battery stewardship organization may terminate a covered battery  
28.4 stewardship plan only:

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

28.8 (2) after a replacement covered battery stewardship plan submitted by the covered battery  
28.9 stewardship organization or a new covered battery stewardship organization is approved  
28.10 by the commissioner under subdivision 4.

28.11 (e) The commissioner may terminate a covered battery stewardship plan for good cause,  
28.12 as defined in paragraph (f). If the commissioner terminates a covered battery stewardship  
28.13 plan, the commissioner must provide the covered battery stewardship organization with  
28.14 written notice of termination describing the good cause for termination. The commissioner  
28.15 must also notify all participants in the covered battery stewardship program in writing of  
28.16 the termination, using the contact information for the participants provided in the covered  
28.17 battery stewardship plan.

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

28.19 (1) failure by the covered battery stewardship organization to:

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

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

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

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

28.27 Subd. 6. **Compliance.** (a) The covered battery stewardship organization must comply  
28.28 with the covered battery stewardship plan approved by the commissioner, including any  
28.29 amendments to the stewardship plan that are made according to subdivision 5, paragraph  
28.30 (a) or (b). The covered battery stewardship organization must ensure that all participants,  
28.31 covered battery collectors, and persons providing covered services acting on behalf of the  
28.32 covered battery stewardship organization also comply with the stewardship plan and are

29.1 responsible to the covered battery stewardship organization and to the commissioner for  
29.2 compliance.

29.3 (b) The covered battery stewardship organization must ensure that covered battery  
29.4 collectors are reimbursed according to the reimbursement rates approved by the commissioner  
29.5 according to this section and the system described in the covered battery stewardship plan.

29.6 (c) The covered battery stewardship organization must ensure that all costs of the covered  
29.7 battery stewardship program as specified in sections 115A.1331 to 115A.1347 are fully  
29.8 paid for by participants. All costs of the covered battery stewardship program must be  
29.9 allocated fairly between groups of participants without any fee, charge, surcharge, or any  
29.10 other cost to:

29.11 (1) any member of the public;

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

29.13 (3) any covered battery collector;

29.14 (4) any person providing covered services;

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

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

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

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

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

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

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

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

29.29 (4) signage to identify collection sites and the covered batteries accepted at the collection  
29.30 sites;

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

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

30.9 (b) The covered battery stewardship organizations must consider the request of a covered  
30.10 battery collector to perform covered services if the covered battery collector meets the  
30.11 performance standards in the covered battery stewardship plan under section 115A.1335,  
30.12 subdivision 2, paragraph (a), clause (14), and the covered battery collector and the covered  
30.13 battery stewardship organization agree after negotiation in good faith on the fees to be paid  
30.14 to the covered battery collector for performing the covered services. The covered battery  
30.15 stewardship plan must identify the covered battery collector as providing covered services  
30.16 according to section 115A.1335, subdivision 2, paragraph (a), clause (5).

30.17 (c) The covered battery stewardship organizations must allow the following persons to  
30.18 serve as a covered battery collector:

30.19 (1) a person that agrees to operate or continues to operate a covered battery collection  
30.20 site in compliance with section 115A.1341, subdivision 1, paragraphs (a) and (e), and with  
30.21 paragraph (b), (c), or (d), as applicable, and with:

30.22 (i) the conditions in section 115A.1335, subdivision 2, paragraph (a), clauses (17) to  
30.23 (20), (22), and (23), and any other applicable provisions of the covered battery stewardship  
30.24 plan in section 115A.1335; and

30.25 (ii) section 115A.1341; and

30.26 (2) a household hazardous waste management program.

30.27 (d) The covered battery stewardship organization may terminate a covered battery  
30.28 collector, except a household hazardous waste management program, and cease payment  
30.29 to the covered battery collector for good cause. Good cause under this paragraph does not  
30.30 include accepting a battery subject to recall. The covered battery stewardship organization  
30.31 may suspend a covered battery collector that is a household hazardous waste management  
30.32 program and cease payment to the covered battery collector for good cause with the approval

31.1 of the commissioner, until the commissioner determines that the household hazardous waste  
31.2 management program is compliant with sections 115A.1331 to 115A.1347.

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

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

31.11 (c) Where feasible, the covered battery stewardship program must encourage establishing  
31.12 covered battery collection sites in proximity to local public transit.

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

31.17 Subd. 4. **Program effectiveness.** (a) To support the effectiveness of the covered battery  
31.18 stewardship program, the covered battery stewardship organization must provide outreach  
31.19 and education to:

31.20 (1) persons that might sell, offer for sale or promotional purposes, distribute, or facilitate  
31.21 a sale of covered batteries in or into the state, to inform them of the requirements of section  
31.22 115A.1347, subdivision 2;

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

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

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

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

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

32.1 (iv) the existence of the covered battery stewardship program and the ability to manage  
32.2 covered batteries at no cost, including the location and convenience of covered battery  
32.3 collection sites in the state.

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

32.6 (c) The commissioner may determine the effectiveness of the covered battery stewardship  
32.7 program using information from waste composition studies under section 115A.412 and  
32.8 other information available to the commissioner. The commissioner may require the covered  
32.9 battery stewardship organization to submit for approval proposals that when implemented  
32.10 would decrease the incidence of covered batteries in solid waste in accordance with section  
32.11 115A.1335, subdivision 2, paragraph (a), clause (39). The covered battery stewardship  
32.12 organization must implement a proposal that is approved by the commissioner.

32.13 Subd. 5. **Stakeholder consultation.** (a) Covered battery stewardship organizations must  
32.14 jointly and regularly consult with stakeholders associated with covered batteries. At least  
32.15 one consultation meeting must occur before each covered battery stewardship plan is  
32.16 submitted to the commissioner.

32.17 (b) Consultation meetings are to:

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

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

32.24 (c) Meetings must include representatives of stakeholders of the covered battery  
32.25 stewardship program, including but not limited to the commissioner, household hazardous  
32.26 waste management programs, covered battery collectors that are not household waste  
32.27 management programs, persons providing or that might provide covered services, producers,  
32.28 and other persons providing statewide representation.

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

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

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

33.6 (3) a description by chemistry by weight of the end management through recycling or  
33.7 disposal of the covered batteries shipped from covered battery collection sites under the  
33.8 covered battery stewardship program, in accordance with section 115A.1335, subdivision  
33.9 2, paragraph (a), clause (38);

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

33.13 (5) the effectiveness of the covered battery stewardship organization's efforts to decrease  
33.14 the incidence of covered batteries in solid waste in the state, in accordance with section  
33.15 115A.1335, subdivision 2, paragraph (a), clause (39);

33.16 (6) a summary of the results of the oversight according to section 115A.1335, subdivision  
33.17 2, paragraph (a), clause (14);

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

33.20 (8) a financial report on the covered battery stewardship program, including actual costs  
33.21 and funding compared to the budget for the year submitted under section 115A.1335,  
33.22 subdivision 2, paragraph (b). The financial report must include an audit report of the covered  
33.23 battery stewardship program, including the covered battery stewardship organization and  
33.24 any additional covered battery stewardship organizations, by an independent auditor. The  
33.25 independent auditor may be selected by the covered battery stewardship organization and  
33.26 may be rejected by the commissioner for good cause. If the commissioner rejects an  
33.27 independent auditor, the covered battery stewardship organization must select a different  
33.28 independent auditor for approval or rejection by the commissioner;

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

33.30 (10) starting on the second April after the covered battery stewardship organization's  
33.31 first covered battery stewardship plan is approved by the commissioner, and then every  
33.32 third year thereafter, a performance audit of the covered battery stewardship program. The  
33.33 performance audit must conform to audit standards established by the United States

34.1 Government Accountability Office; the National Association of State Auditors, Comptrollers  
34.2 and Treasurers; or another nationally recognized organization approved by the commissioner.

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

34.5 (b) A covered battery stewardship organization may contract with any persons to  
34.6 implement or administer a portion or portions of the covered battery stewardship plan or to  
34.7 coordinate with a group or groups of participants.

34.8 (c) A contract established under paragraph (b) must be described under section  
34.9 115A.1335, subdivision 2, paragraph (a), clause (6).

34.10 (d) Notwithstanding any contract established under paragraph (b), the covered battery  
34.11 stewardship organization must:

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

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

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

34.18 (4) maintain all responsibility and liability for compliance with all other requirements  
34.19 of sections 115A.1331 to 115A.1347 applicable to the covered battery stewardship  
34.20 organization.

34.21 **EFFECTIVE DATE.** This section is effective July 1, 2027.

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

34.23 Subdivision 1. **Administrative fees.** (a) By October 1, 2027, the commissioner must  
34.24 calculate the sum of all costs that the agency incurred to implement and administer sections  
34.25 115A.1331 to 115A.1347 from July 1, 2026, to June 30, 2027.

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

35.1 (c) By April 1, 2028, and annually thereafter, the commissioner must calculate the sum  
35.2 of all costs that the agency incurred to implement and administer sections 115A.1331 to  
35.3 115A.1347 during the six months of July through December of the preceding calendar year.  
35.4 By October 1, 2028, and annually thereafter, the commissioner must calculate the sum of  
35.5 all costs that the agency incurred to implement and administer sections 115A.1331 to  
35.6 115A.1347 during the six months of January through June of that calendar year.

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

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

35.17 Subd. 2. **Disposition of fees.** The total amount of net fees collected under this section  
35.18 must not exceed the amount necessary to reimburse agency costs as calculated under  
35.19 subdivision 1. All fees received under subdivision 1 must be deposited in the state treasury  
35.20 and credited to a covered battery stewardship account in the special revenue fund. The  
35.21 amount collected under this section is annually appropriated to the commissioner to  
35.22 implement and enforce sections 115A.1331 to 115A.1347.

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

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

35.25 Subdivision 1. **Accepting covered batteries.** (a) All covered battery collectors must  
35.26 accept covered batteries of any brand, type, or chemistry without imposing a fee, charge,  
35.27 surcharge, or other cost to any person other than the covered battery stewardship organization.

35.28 (b) At a covered large battery collection site, a covered battery collector must accept  
35.29 from any person daily at least:

35.30 (1) ten covered small batteries;

35.31 (2) four covered medium batteries; and

35.32 (3) two covered large batteries.

36.1 (c) At a covered medium battery collection site, a covered battery collector must accept  
36.2 from any person daily at least:

36.3 (1) ten covered small batteries; and

36.4 (2) four covered medium batteries.

36.5 (d) At a covered small battery collection site, a covered battery collector must accept  
36.6 from any person daily at least ten covered small batteries.

36.7 (e) A covered battery collection site must be open to receiving covered batteries at least  
36.8 12 operating hours per week, 50 weeks each calendar year.

36.9 (f) A household hazardous waste management program may accept covered batteries at  
36.10 any covered battery collection site that the program operates.

36.11 (g) A covered battery stewardship organization may count a covered battery collection  
36.12 site when demonstrating compliance with the convenience standards under section  
36.13 115A.1335, subdivision 3, only if the covered battery collection site complies with paragraph  
36.14 (b), (c), or (d).

36.15 Subd. 2. **Storing accepted covered batteries.** A covered battery collector must manage  
36.16 and store all accepted covered batteries safely and in compliance with all applicable federal,  
36.17 state, and local laws, including but not limited to applicable rules adopted under section  
36.18 116.07 for managing solid waste and hazardous waste.

36.19 Subd. 3. **Training.** A covered battery collector must ensure and document that training  
36.20 is provided for covered battery collection site employees on identifying and safely handling  
36.21 and storing covered batteries, including damaged, defective, or recalled batteries, also known  
36.22 as DDR batteries. The covered battery collector may provide the training or may receive  
36.23 training through the covered battery stewardship organization.

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

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

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

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

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

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

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

37.10 (b) Damages recoverable under this subdivision may not exceed a fair share of the actual  
37.11 costs incurred by the plaintiff covered battery stewardship organization under sections  
37.12 115A.1331 to 115A.1347; of managing covered batteries of other covered battery producers  
37.13 that were not participants; or that should otherwise have been due to the covered battery  
37.14 stewardship organization. Additional amounts recoverable under this subdivision include  
37.15 an award of reasonable attorney fees and costs. If a defendant covered battery producer did  
37.16 not participate in the covered battery stewardship program during the period when covered  
37.17 batteries of the defendant were managed by the plaintiff covered battery stewardship  
37.18 organization, a punitive sum of up to three times the damages awarded may be assessed.

37.19 (c) A plaintiff covered battery stewardship organization may establish a defendant  
37.20 covered battery producer's fair share of the plaintiff's actual costs by providing the court  
37.21 with information establishing the process by which the defendant covered battery producer's  
37.22 share of covered battery stewardship program costs would have been allocated had the  
37.23 defendant covered battery producer been a participant in the program or paid its allocated  
37.24 share if it was a participant. The plaintiff covered battery stewardship organization may use  
37.25 data from covered battery producers similar in covered battery, financial status, or market  
37.26 share to the defendant covered battery producer to provide the information.

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

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

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

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

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

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

38.17 Subd. 4. **Contracts.** (a) Any person awarded a contract under chapter 16C for purchase  
38.18 or lease of covered batteries that is found to be in violation of sections 115A.1331 to  
38.19 115A.1347 is subject to the following sanctions:

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

38.23 (2) the contractor is subject to suspension and disbarment under Minnesota Rules, part  
38.24 1230.1150.

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

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

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

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

39.13 EFFECTIVE DATE. This section is effective January 1, 2026.

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

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

39.17 (1) solid waste; or

39.18 (2) a recycling container that a covered battery collector has not clearly marked for use  
39.19 for collecting covered batteries.

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

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

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

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

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

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

40.5 (1) the covered battery producer is named as a participant in a covered battery stewardship  
 40.6 plan approved by the commissioner published under section 115A.1335, subdivision 4;

40.7 (2) the brand is named as covered in the covered battery stewardship plan approved by  
 40.8 the commissioner published under section 115A.1335, subdivision 4; or

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

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

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

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

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

40.21 **115A.554 AUTHORITY OF SANITARY DISTRICTS.**

40.22 A sanitary district has the authorities and duties of counties within the district's boundary  
 40.23 for purposes of sections 115A.0716; 115A.46, subdivisions 4 and 5; 115A.48; 115A.551;  
 40.24 115A.552; 115A.553; 115A.919; 115A.929; 115A.93; 115A.96, subdivision 6; ~~115A.961;~~  
 40.25 116.072; 375.18, subdivision 14; 400.04; 400.06; 400.07; 400.08; 400.16; and 400.161.

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

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

40.28 **115A.9157 RECHARGEABLE BATTERIES AND PRODUCTS.**

40.29 Subdivision 1. **Definition.** ~~For the purpose of this section, "rechargeable battery" means~~  
 40.30 ~~a sealed nickel-cadmium battery, a sealed lead acid battery, or any other rechargeable battery,~~  
 40.31 ~~except a rechargeable battery governed by section 115A.9155 or exempted by the~~

41.1 ~~commissioner under subdivision 9.~~ The terms used in this section have the meanings given  
41.2 in sections 115A.03 and 115A.1331.

41.3 Subd. 2. **Prohibition.** ~~Effective August 1, 1991, a person may not place in mixed~~  
41.4 ~~municipal solid waste a rechargeable battery, a rechargeable battery pack, a product with a~~  
41.5 ~~nonremovable rechargeable battery, or a product powered by rechargeable batteries or~~  
41.6 ~~rechargeable battery pack, from which all batteries or battery packs have not been removed.~~  
41.7 A person may not place a product powered by rechargeable batteries in solid waste unless  
41.8 all batteries have been removed from the product.

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

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

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

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

42.1 Subd. 7. **Contracts.** A manufacturer or a representative organization of manufacturers  
 42.2 may contract with ~~the state or a political subdivision~~ any person to provide collection services  
 42.3 under this section. The manufacturer or organization shall fully reimburse the ~~state or~~  
 42.4 ~~political subdivision~~ person for the value of any contractual services rendered under this  
 42.5 subdivision.

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

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

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

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

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

42.23 (b) Paragraph (a) does not apply to an electronic thermometer with a battery containing  
 42.24 mercury if the battery is in compliance with ~~section 325E.125~~ subdivision 81.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

43.24 ~~Subd. 2. **Recovery of costs.** Section 325E.125 may be enforced under ~~section~~ sections~~  
43.25 ~~115.071 and 116.072. In an enforcement action under this section in which the state prevails,~~  
43.26 ~~the state may recover reasonable administrative expenses, court costs, and attorney fees~~  
43.27 ~~incurred to take the enforcement action, in an amount to be determined by the court.~~

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

44.1 Sec. 16. **REPEALER.**

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

44.3 325E.125, subdivisions 1, 2, 2a, 3, and 4; and 325E.1251, subdivision 1, are repealed."

44.4 Amend the title accordingly