

# VIRGINIA ACTS OF ASSEMBLY -- 2009 SESSION

## CHAPTER 365

*An Act to amend the Code of Virginia by adding in Chapter 14 of Title 10.1 an article numbered 3.7, consisting of a section numbered 10.1-1425.39, relating to rechargeable battery disposal and recycling.*

[H 2177]

Approved March 27, 2009

**Be it enacted by the General Assembly of Virginia:**

**1. That the Code of Virginia is amended by adding in Chapter 14 of Title 10.1 an article numbered 3.7, consisting of a section numbered 10.1-1425.39, as follows:**

*Article 3.7.*

*Rechargeable Battery Recycling.*

*§ 10.1-1425.39. Rechargeable battery recycling and disposal program.*

*A. As used in this section "rechargeable battery" means any removable, dry-cell, rechargeable battery weighing less than two pounds consisting of one or more electrically connected electrochemical cells that are designed to receive, store, and deliver electric energy.*

*B. Any locality may, by ordinance, prohibit the disposal of rechargeable batteries in any waste-to-energy or solid waste disposal facility within its jurisdiction, provided the locality has implemented a recycling program that is capable of handling all rechargeable batteries generated within its jurisdiction. However, no such ordinance shall contain any provision that penalizes anyone other than the last user of such rechargeable batteries.*