



HOUSE JOINT RESOLUTION 24-1005

BY REPRESENTATIVE(S) Titone and Weinberg, Amabile, Bacon, Boesenecker, Bradfield, Bradley, Brown, Clifford, deGruy Kennedy, Daugherty, Duran, English, Frizell, Froelich, Garcia, Hamrick, Hernandez, Herod, Jodeh, Joseph, Kipp, Lieder, Lindsay, Lindstedt, Lukens, Mabrey, Marshall, Martinez, Marvin, Mauro, McCluskie, McCormick, McLachlan, Parenti, Rutinel, Sirota, Snyder, Soper, Story, Valdez, Velasco, Vigil, Weissman, Willford, Woodrow, Young, Ortiz; also SENATOR(S) Bridges and Hinrichsen, Buckner, Coleman, Danielson, Exum, Gonzales, Hansen, Jaquez Lewis, Kolker, Marchman, Michaelson Jenet, Pelton B., Priola, Roberts, Rodriguez, Simpson, Cutter.

CONCERNING REQUESTING THAT THE FEDERAL TRADE COMMISSION FACILITATE THE USE OF REPAIRABILITY SCORES THAT INDICATE TO CONSUMERS THE REPAIRABILITY OF ELECTRONIC DEVICES.

WHEREAS, According to the e-waste monitors of the United Nations Institute for Training and Research, more than fifty-nine million tons of used electronic devices, equal to the weight of one hundred sixty-one Empire State Buildings, are disposed of each year worldwide; and

WHEREAS, The federal Environmental Protection Agency reports that electronic waste is now the fastest-growing part of the municipal waste stream in the United States; and

WHEREAS, Colorado consumers do not have easy access to trusted information concerning the repairability and longevity of electronic devices and are unable to consult such information before purchasing or seeking repair of electronic devices; and

WHEREAS, The commissioners of the Federal Trade Commission voted unanimously in July 2021 to "closely coordinate with state law

enforcement and policymakers to update existing law and regulation to advance the goal of open repair markets"; and

WHEREAS, A study cited in the Commission's May 2021 "Nixing the Fix" report states that "[t]he lack of information concerning durable and repairable products causes an asymmetry in the market balance and leaves consumers unable to make the best buying decisions regarding to their own needs"; and

WHEREAS, Open repair markets allow manufacturers to voluntarily assign repair scores for electronic devices such as laptops, phones, and appliances for the purpose of advising consumers regarding the repairability of such devices; and

WHEREAS, Repair scores function similarly to EnergyGuide labels by providing consumers a one-to-ten score that reflects the availability of spare parts, ease of disassembly, and longevity of support that is associated with an electronic device, thereby informing consumers who seek to repair rather than replace such products; and

WHEREAS, Repairability scores are a critical tool for consumers whose budgets are squeezed by rising prices. According to the Public Interest Research Group, an average American family spends about one thousand seven hundred dollars on new electronics per year, and an open repair market for electronic devices could save American families a combined forty-nine billion dollars annually by empowering them to repair rather than replace such devices; and

WHEREAS, Samsung's research on existing repair scores in France showed that eighty-six percent of surveyed French consumers said that repair scores affect their purchasing behavior, and eighty percent indicated they would give up their favorite electronic device for a more repairable electronic device; now, therefore,

Be It Resolved by the House of Representatives of the Seventy-fourth General Assembly of the State of Colorado, the Senate concurring herein:

(1) That, in order to promote consumer choice, the General Assembly requests:

- (a) That the Federal Trade Commission establish criteria that manufacturers of electronic devices may use to voluntarily assign repairability scores to such devices, which scores range from one to ten and may be displayed to consumers at point of sale;
- (b) That the Commission periodically update such criteria; and
- (c) That the Commission, in establishing and updating the criteria, include consideration of:
 - (I) The free and public availability of technical documents regarding an electronic device;
 - (II) The ease of disassembly of an electronic device;
 - (III) The availability of spare parts for an electronic device;
 - (IV) The price of spare parts for an electronic device;
 - (V) The length of time that a manufacturer offers software support for an electronic device; and
 - (VI) Other criteria specific to certain categories of electronic devices.

Be It Further Resolved, That copies of this Joint Resolution be sent to President Joe Biden; Vice President Kamala Harris; Speaker of the House of Representatives Mike Johnson; Senate Majority Leader Chuck Schumer; Senate Minority Leader Mitch McConnell; House of Representatives Majority Leader Steve Scalise; House of Representatives Minority Leader Hakeem Jeffries; Commissioner Lina Khan, Commissioner Rebecca Slaughter, and Commissioner Alvaro Bedoya of the Federal Trade Commission; Governor Jared Polis; and Attorney General Phil Weiser.

Julie McCluskie
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

Steve Fenberg
PRESIDENT OF
THE SENATE

Robin Jones
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

Cindi L. Markwell
SECRETARY OF
THE SENATE

APPROVED _____

Jared Polis
GOVERNOR OF THE STATE OF COLORADO