

# ALASKA STATE LEGISLATURE

## Session

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### CS SB 27 (HSS)

### Sectional Analysis

**Section 1.** Adds a new article on toxic chemicals in products.

**Sec. 18.31.600.** Prohibits a person from manufacturing, selling, or distributing certain products that contain a specified percentage of the brominated flame retardants pentaBDE, octaBDE, or decaBDE. Prohibits a person from manufacturing, selling, or distributing a product that the Department of Environmental Conservation prohibits under sec. 18.31.610.

**Sec. 18.31.610.** Authorizes the department to prohibit the manufacture, sale, and distribution of certain products that contain a flame retardant that is not already prohibited under sec. 18.31.600(a) - (c) if the department makes certain determinations regarding public health, the environment, and alternatives to the flame retardant. Requires the department to consult with the Department of Health and Social Services (DHSS). Requires the state fire marshal to determine whether an alternative satisfies fire safety standards.

**Sec. 18.31.620.** Lists five exemptions from the prohibitions in sec. 18.31.600.

**Sec. 18.31.630.** Requires a person who manufactures products whose sale and distribution are prohibited by sec. 18.31.600 to inform its retailers in the state of the prohibition and the penalty.

**Sec. 18.31.640.** Authorizes the department to request that the manufacturer of a product it suspects of being sold in violation of sec. 18.31.600 either (1) provide the department with a sworn certificate indicating the sale does not violate sec. 18.31.600, or (2) notify its retailers in the state that the sale is prohibited and provide the department with a list of the retailers notified.

**Sec. 18.31.650.** Establishes a civil penalty for violating sees. 18.31.600 - 18.31.640.

**Sec. 18.31.660.** Requires the department to participate in a multistate chemicals clearinghouse to build capacity to identify and promote safer chemicals and products; avoid duplication and enhance efficiency and effectiveness; and ensure access to high quality and authoritative information on chemicals.

**CS SB 27 (HSS) Sectional Page 2**

**Sec. 18.31.670.** Authorizes the department to adopt regulations to implement the new sections.

**Sec. 18.31.690.** Defines terms for the new sections.

**Section 2.** Authorizes the department to begin adopting regulations for these provisions.

**Section 3.** Directs the Revisor of Statutes to make a conforming change to the existing statutes in AS 18.31.

**Section 4.** Gives participation in the chemicals clearinghouse and bill sec. 2 an immediate effective date.

**Section 5.** Gives the Act (except chemical clearinghouse participation and and sec. 2) an effective date of January 1,2013.

Prepared by Karla Hart, 2/28/11