

ALASKA STATE LEGISLATURE



REPRESENTATIVE GERAN TARR

Sectional Analysis

HB 96

Chemicals in Children's Products

Section 1 of this bill amends AS 18.31 and adds several new sections that give the Department of Health and Social Services the statutory authority to list chemicals of high concern and how to effectively deal with those products after the chemicals have been designated.

Specifically, this section:

- Requires the department to establish guidelines for identifying chemicals of high concern (18.31.610)
- Allows the department to periodically review and revise the list of chemicals of high concern (18.31.620)
- Describes how to designate from the chemicals of high concern any that should be regulated as priority chemicals (18.31.630)
- Requires the department to review and revise the priority list every three years (18.31.640)
- Requires manufacturers or distributors of products containing high priority chemicals to notify the department (18.31.650)
- Allows the department to request additional information from a manufacturer or distributor (18.31.660)
- Allows the department to charge a fee associated with collection of information (18.31.670)
- Allows the department to prohibit the manufacturing, distribution, or sale of a product containing a priority chemical (18.31.680)
- Allows the department to suggest safer alternatives (18.31.690)
- Requires the manufacturer or distributor of the product to submit a compliance plan to the department (18.31.700)

- Allows the department to grant waivers for use of products with high priority chemicals (18.31.710)
- A manufacturer is required to inform consumers if their product contains high priority chemicals (18.31.720)
- Retailers are prohibited from knowingly selling prohibited children's product (18.31.730)
- Provides exemptions for chemicals in used products, motor vehicles or their component parts, or priority chemicals generated solely as combustion by-products or that are present in combustible fuels (18.31.740)
- If resources allow, directs the department to develop an educational program (18.31.750)
- Allows for manufacturer and distributor prohibitions (18.31.760)
- Allows the department to request a certificate of compliance related to specific provisions of the law (18.31.770)
- Allows the department to participate in an interstate clearinghouse to gather information on what policies other states and governmental entities are using to regulate chemicals (18.31.780)
- Allows the department to draft regulations to implement the law (18.31.790)
- Lists definitions used in the law (18.31.800)

Section 2 establishes that a violation of this law is an unfair trade practice as defined in the consumer protection section of Alaska statute (45.50.471(b))

Section 3 establishes that the Department of Environmental Conservation and the Department of Health & Social Services will work together to identify and publish the initial list of chemicals of high concern and describes the process in which the list should be made.

Section 4 establishes how the Department of Environmental Conservation and the Department of Health & Social Services will work together to identify and publish the initial designation of priority chemicals.

Section 5 of this bill provides instructions for the revisor of statutes related to this bill.