

Original sponsor(s): REP. COTTEN

1 IN THE HOUSE BY THE LABOR & COMMERCE COMMITTEE

2 CS FOR HOUSE BILL NO. 406 (L&C)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SIXTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the sale or transfer of consumer
7 electrical products."

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9 * Section 1. AS 45.45 is amended by adding a new section to read:

10 Sec. 45.45.910. SALE OR TRANSFER OF CONSUMER ELECTRICAL PROD-
11 UCTS. (a) Unless exempted by the department under (d) of this sec-
12 tion, a person may not sell, offer to sell, or otherwise transfer in
13 the course of the person's business a consumer electrical product that
14 is manufactured after the effective date of this Act, unless the
15 product is clearly marked as being approved by an approved third-party
16 certification program.

17 (b) A person may not sell, offer to sell, or otherwise transfer
18 in the course of the person's business a consumer electrical product
19 that is manufactured before the effective date of this Act, unless the
20 product is clearly marked

21 (1) as being approved by an approved third party certifica-
22 tion program; or

23 (2) with a warning label that complies with (e) of this
24 section.

25 (c) A person may not sell, offer to sell, or otherwise transfer
26 in the course of the person's business a consumer electrical product
27 that has been exempted under (d) of this section, unless the product
28 is clearly marked with a warning label that complies with (e) of this
29 section.

1 (d) If a consumer electrical product is a work of art or an item
2 that has an unusual application that makes approval by a third-party
3 certification program not reasonably available, the department shall
4 upon request exempt the item from (a) of this section. The department
5 shall establish by regulation guidelines to identify consumer electri-
6 cal products that qualify for an exemption under this section.

7 (e) The warning label required by this section must be a bright-
8 ly colored label that contains in simple, direct language a warning
9 that the electrical product is not approved by an approved third-party
10 certification program. The department shall adopt regulations estab-
11 lishing the exact content, color, design, and use of the warning
12 label.

13 (f) In this section,

14 (1) "approved third-party certification program" means a
15 program that meets the requirements of ANSI Z-34.1 - 1987, American
16 National Standards for Certification - Third-Party Certification
17 Program, published by the American National Standards Institute;

18 (2) "consumer electrical product" means an electrical
19 product that is marketed for and commonly purchased by the general
20 public and that is

21 (A) an assembled device that has an electrical circuit
22 that operates at 110 volts AC or higher;

23 (B) a device that when assembled has an electrical
24 circuit that operates at 110 volts AC or higher; or

25 (C) an individual component part that is intended to
26 be part of an electrical circuit that operates at 110 volts AC or
27 higher;

28 (3) "department" means the Department of Labor.

29 * Sec. 2. AS 45.50.471(b) is amended by adding a new paragraph to read:

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(29) violating AS 45.45.910(a), (b), or (c).