

Original sponsor(s): REP. COTTEN

1 IN THE HOUSE BY THE FINANCE COMMITTEE

2 CS FOR HOUSE BILL NO. 406 (Finance)

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 listed 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 listed 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 listed 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) Unless a later version has been adopted by the Department of
14 Labor by regulation, a certification program must meet the require-
15 ments of ANSI Z-34.1 - 1987, American National Standards for Certi-
16 fication - Third-Party Certification Program, published by the Ameri-
17 can National Standards Institute, in order to qualify as an approved
18 third-party certification program under this section. The Department
19 of Labor may adopt by regulation later versions of the American Na-
20 tional Standards for Certification - Third-Party Certification Pro-
21 gram, as the standard for third-party certification programs under
22 this section. If the Department of Labor has adopted a later version,
23 a certification program must meet the requirements of the most recent
24 version adopted by the department in order to qualify as an approved
25 third-party certification program under this section.

26 (g) In this section,

27 (1) "approved third-party certification program" means a
28 program that qualifies under (f) of this section;

29 (2) "consumer electrical product" means an electrical

1 product that is marketed for and commonly purchased by the general
2 public and that is

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

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

7 (C) an individual component part that is intended to
8 be part of an electrical circuit that operates at 110 volts AC or
9 higher;

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

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

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