29-LS0518\H

SENATE BILL NO. 111

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-NINTH LEGISLATURE - FIRST SESSION

BY SENATOR WIELECHOWSKI

Introduced: 4/16/15 Referred: Labor and Commerce, Judiciary

A BILL

FOR AN ACT ENTITLED

1	"An Act relating to flame retardants and to the manufacture, distribution, and sale of
2	products containing flame retardants; and providing for an effective date."
3	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:
4	* Section 1. AS 18.31 is amended by adding new sections to read:
5	Article 5. Chemicals.
6	Sec. 18.31.600. Flame retardant prohibitions. A person may not, in the
7	course of business in the state, manufacture, sell, or distribute upholstered furniture or
8	a children's item if a component of the upholstered furniture or children's item
9	contains 100 or more parts per million by mass of the following flame retardants:
10	(1) tris(1,3-dichloro-2-propyl)phosphate (TDCPP), chemical abstracts
11	service number 13674-87-8;
12	(2) tris(2-chloroethyl)phosphate (TCEP), chemical abstracts service
13	number 115-96-8;
14	(3) tetrabromobisphenol A (TBBPA), chemical abstracts service

2(4) decabromodiphenyl ether, chemical abstracts service number 1163-319-5;4(5) antimony, chemical abstracts service number 7440-36-0;5(6) hexabromocyclododecane, chemical abstracts service number625637-99-4;7(7) bis(2-ethylhexyl)-3,4,5,6-tetrabromophthalate (TBPH), chemical8abstracts service number 26040-51-7;9(8) 2-ethylhexyl-2,3,4,5-tetrabromobenzoate (TBB), chemical abstracts10service number 183658-27-7;11(9) chlorinated paraffins, chemical abstracts service number 85535-84-128; or13(10) tris(1-chloro-2-propyl)phosphate (TCPP), chemical abstracts14service number 13674-84-5.15Sec. 18.31.610. Exemptions. The prohibitions in AS 18.31.600 do not apply to16a product that a person resells after use if the person17(1) does not sell the product on a regular basis and does not engage in18the business of selling that type of product; or19(2) is a nonprofit entity that qualifies for an exemption from taxation20under 26 U.S.C. 501(c)(3) (Internal Revenue Code).21Sec. 18.31.620. Labeling. A person who manufactures a product that is23state, and that contains a flame retardant shall place on a label affixed to the product24the following statement: "This product contains a chemical flame retardant." In this25section, "flame retardant" means a chemical that is added to a product to inhibit the26(1) \$S00 for the first violation; or27Sc. 18.31.630. Civil penalty. (a	1	number 79-94-7;
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2	Sec. 18.31.690. Definitions. In AS 18.31.600 - 18.31.690, unless the context
3	indicates otherwise,
4	(1) "children's item" means clothing, a toy, a detachable car seat, a
5	nursing pillow, a crib mattress, a nap pad, a changing pad, or another product that is
6	used primarily for or by a child;
7	(2) "distribute" means selling a product on a wholesale basis to a
8	retailer; in this paragraph, "retailer" means a person who sells a product other than for
9	resale and who did not manufacture or distribute the product;
10	(3) "manufacture" means
11	(A) making a product; or
12	(B) importing or distributing a product in the United States if
13	the person who manufactured or assembled the product or whose brand name
14	is affixed to the product does not do business in the United States;
15	(4) "sell" includes an offer to sell;
16	(5) "upholstered furniture" means furniture that contains filling
17	material and is used or intended to be used for sitting, resting, or reclining.
18	* Sec. 2. The uncodified law of the State of Alaska is amended by adding a new section to
19	read:
20	REVISOR'S INSTRUCTION. Wherever "this chapter" appears in AS 18.31.010 -
21	18.31.500, the revisor of statutes shall substitute "AS 18.31.010 - 18.31.500."
22	* Sec. 3. This Act takes effect July 1, 2017.

under (a) of this section in one calendar year is \$5,500.

1