

HOUSE BILL No. 1072

DIGEST OF INTRODUCED BILL

Citations Affected: IC 12-17.2-2-4.1.

Synopsis: Unsafe children's products. Requires the division of family resources to adopt rules prohibiting, and providing information related to, unsafe children's products with respect to certain child care providers.

Effective: July 1, 2017.

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January 4, 2017, read first time and referred to Committee on Family, Children and Human Affairs.



First Regular Session of the 120th General Assembly (2017)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2016 Regular Session of the General Assembly.

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A BILL FOR AN ACT to amend the Indiana Code concerning human services.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 12-17.2-2-4.1 IS ADDED TO THE INDIANA
2 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
3 [EFFECTIVE JULY 1, 2017]: **Sec. 4.1. (a) As used in this section,**
4 **"children's product" has the meaning set forth in 16 CFR 1200.2.**
5 **(b) The division shall adopt rules under IC 4-22-2 prohibiting**
6 **the presence of an unsafe children's product in the following:**
7 **(1) A child care center licensed under IC 12-17.2-4.**
8 **(2) A child care home licensed under IC 12-17.2-5.**
9 **(3) A facility where a provider operates a child care program**
10 **under IC 12-17.2-3.5.**
11 **(c) The rules adopted under subsection (b) shall specify that a**
12 **children's product is considered to be unsafe if any of the following**
13 **apply:**
14 **(1) The product does not conform to all standards set forth in**
15 **applicable federal law.**
16 **(2) The product has been recalled, for any reason, by or in**
17 **cooperation with:**



- 1 (A) a federal agency; or
2 (B) the product's manufacturer, wholesaler, distributor, or
3 importer;
4 and the recall has not been rescinded.
5 (3) A person described in subdivision (2) has issued a warning
6 that the product's intended use constitutes a safety hazard
7 and the warning has not been rescinded.
8 (d) The division shall:
9 (1) maintain current information concerning:
10 (A) conformity of children's products to standards;
11 (B) recalls; and
12 (C) warnings;
13 described in subsection (c);
14 (2) publish on the division's Internet web site, and provide a
15 paper copy upon request, the information maintained under
16 subdivision (1); and
17 (3) provide on the division's Internet web site a link to the
18 United States Consumer Product Safety Commission's
19 Internet web site concerning product safety.

