

First Regular Session of the 119th General Assembly (2015)

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 2014 Regular Session and 2014 Second Regular Technical Session of the General Assembly.

HOUSE ENROLLED ACT No. 1185

AN ACT to amend the Indiana Code concerning environmental law.

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

SECTION 1. IC 13-11-2-149.8 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: **Sec. 149.8. "Over the counter drug", for purposes of IC 13-18-24, has the meaning set forth in IC 13-18-24-1.**

SECTION 2. IC 13-11-2-158.2 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: **Sec. 158.2. "Personal care product", for purposes of IC 13-18-24, has the meaning set forth in IC 13-18-24-2.**

SECTION 3. IC 13-11-2-163.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: **Sec. 163.5. "Plastic", for purposes of IC 13-18-24, has the meaning set forth in IC 13-18-24-3.**

SECTION 4. IC 13-11-2-227.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: **Sec. 227.5. "Synthetic plastic microbead", for purposes of IC 13-18-24, has the meaning set forth in IC 13-18-24-4.**

SECTION 5. IC 13-18-24 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE

HEA 1185



JULY 1, 2015]:

Chapter 24. Prohibition on Certain Products that Contain Microbeads

Sec. 1. As used in this chapter, "over the counter drug" means a personal care product that contains a label that:

- (1) identifies the product as a drug as required by 21 CFR 201.66; and**
- (2) includes:**
 - (A) a drug facts panel; or**
 - (B) a statement of active ingredients and a list of the ingredients contained in the personal care product.**

Sec. 2. (a) As used in this chapter, "personal care product" means:

- (1) an article intended to be:**
 - (A) rubbed on;**
 - (B) poured on;**
 - (C) sprinkled on;**
 - (D) sprayed on;**
 - (E) introduced into; or**
 - (F) otherwise applied to;**

the human body or a part of the human body for purposes of cleansing, beautifying, promoting the attractiveness of, or altering the appearance of the human body or a part of the human body; and
- (2) any other article intended for use as a component of an article described in subdivision (1).**

(b) The term does not include a prescription drug.

Sec. 3. As used in this chapter, "plastic" means a synthetic material made from linking monomers through a chemical reaction to create an organic polymer chain that may be molded or extruded at high heat into various solid forms that retain the defined shapes of the solid forms:

- (1) during the life cycle of; and**
- (2) after the disposal of;**

the solid forms.

Sec. 4. As used in this chapter, "synthetic plastic microbead" means a solid plastic particle that is:

- (1) less than five (5) millimeters in its largest dimension;**
- (2) not biodegradable; and**
- (3) intentionally added to a personal care product that:**
 - (A) is used to exfoliate or cleanse; and**
 - (B) subsequently is rinsed off;**



the human body or a part of the human body.

Sec. 5. After December 31, 2017, a person may not manufacture for sale a personal care product, except for an over the counter drug, that contains synthetic plastic microbeads.

Sec. 6. After December 31, 2018, a person may not accept for sale a personal care product, except for an over the counter drug, that contains synthetic plastic microbeads.

Sec. 7. After December 31, 2018, a person may not manufacture for sale an over the counter drug that contains synthetic plastic microbeads.

Sec. 8. After December 31, 2019, a person may not accept for sale an over the counter drug that contains synthetic plastic microbeads.

Sec. 9. A person who violates this chapter commits a Class B infraction. However, the offense is a Class A infraction if the person has a prior unrelated judgment for a violation of this chapter.



Speaker of the House of Representatives

President of the Senate

President Pro Tempore

Governor of the State of Indiana

Date: _____ Time: _____

HEA 1185

