

HOUSE BILL No. 1219

DIGEST OF INTRODUCED BILL

Citations Affected: IC 13-20-26.

Synopsis: Ban on flame retardant material. Defines "flame retardant chemical". Prohibits the manufacture, assembly, acceptance for sale, and selling of certain upholstered furniture, mattresses, and mattress pads that contain more than 0.1% of a flame retardant chemical or more than 0.1% of a mixture that contains a flame retardant chemical.

Effective: July 1, 2018.

Hamilton

January 9, 2018, read first time and referred to Committee on Public Health.



Second Regular Session of the 120th General Assembly (2018)

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 2017 Regular Session of the General Assembly.

HOUSE BILL No. 1219

A BILL FOR AN ACT to amend the Indiana Code concerning environmental law.

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

1 SECTION 1. IC 13-20-26 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2018]:
4 **Chapter 26. Flame Retardant Material**
5 **Sec. 1. This chapter does not apply to:**
6 (1) used upholstered furniture, mattresses, or mattress pads;
7 and
8 (2) upholstered furniture, mattresses, or mattress pads
9 intended for or purchased for public use in public facilities,
10 including schools, jails, and hospitals.
11 **Sec. 2. (a) As used in this chapter, "flame retardant chemical"**
12 **means a chemical or chemical compound used to resist or inhibit**
13 **the spread of fire.**
14 **(b) The term includes:**
15 (1) halogenated flame retardants;
16 (2) phosphorus-based flame retardants;
17 (3) nitrogen-based flame retardants;



1 **(4) nanoscale flame retardants; and**
2 **(5) any chemical or chemical compound for which "flame**
3 **retardant" appears on the substance safety data sheet**
4 **required under 20 CFR 1910.1200(g).**
5 **Sec. 3. A person may not:**
6 **(1) manufacture; or**
7 **(2) assemble;**
8 **for sale upholstered furniture, mattresses, or mattress pads**
9 **containing more than one-tenth percent (0.1%) of a flame**
10 **retardant chemical or containing more than one-tenth percent**
11 **(0.1%) of a mixture that includes flame retardant chemicals.**
12 **Sec. 4. A person may not:**
13 **(1) accept for sale; or**
14 **(2) sell;**
15 **upholstered furniture, mattresses, or mattress pads containing**
16 **more than one-tenth percent (0.1%) of a flame retardant chemical**
17 **or containing more than one-tenth percent (0.1%) of a mixture that**
18 **includes flame retardant chemicals.**
19 **Sec. 5. A person who violates this chapter commits a Class B**
20 **infraction. However, the offense is a Class A infraction if the**
21 **person has a prior unrelated judgment for a violation of this**
22 **chapter.**

