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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-SECOND SESSION

H. F. No. 3076

02/03/2022

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The bill was read for the first time and referred to the Committee on Environment and Natural Resources Finance and Policy

1.1 A bill for an act
1.2 relating to environment; prohibiting PFAS in apparel; proposing coding for new
1.3 law in Minnesota Statutes, chapter 116.

1.4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.5 Section 1. [116.943] PFAS IN APPAREL.

1.6 Subdivision 1. Definitions. For purposes of this section, the following terms have the
1.7 meanings given:

1.8 (1) "apparel" means items intended to be worn on the human body, including footwear;
1.9 handbags, backpacks, scarves, and other accessories; and clothing intended for:

1.10 (i) daily wear or formal occasions, including but not limited to undergarments, shirts,
1.11 pants, skirts, dresses, overalls, bodysuits, vests, dance wear, suits, saris, tops, leggings,
1.12 school uniforms, leisure wear, swimwear, formal wear, onesies, bibs, diapers, costumes,
1.13 and professional uniforms, except professional uniforms that are worn to protect the wearer
1.14 from health or environmental hazards; and

1.15 (ii) outdoor activities, including but not limited to clothing items intended for hiking,
1.16 camping, skiing, climbing, bicycling, boating, and fishing;

1.17 (2) "outerwear" means clothing intended to be worn over apparel, including but not
1.18 limited to jackets, coats, snow pants, and ski pants, but does not include professional
1.19 uniforms; and

1.20 (3) "perfluoroalkyl and polyfluoroalkyl substances" or "PFAS" means substances that
1.21 include any member of the class of fluorinated organic chemicals containing at least one
1.22 fully fluorinated carbon atom.

2.1 Subd. 2. **Prohibition.** (a) A person must not manufacture, distribute, sell, or offer for
2.2 sale in the state apparel or outerwear that contains perfluoroalkyl and polyfluoroalkyl
2.3 substances.

2.4 (b) This subdivision does not apply to the sale or resale of used products.

2.5 Subd. 3. **Enforcement.** (a) The commissioner of the Pollution Control Agency may
2.6 enforce this section under sections 115.071 and 116.072. The commissioner may coordinate
2.7 with the commissioners of commerce and health in enforcing this section.

2.8 (b) When requested by the commissioner of the Pollution Control Agency, a person
2.9 must furnish to the commissioner any information that the person may have or may
2.10 reasonably obtain that is relevant to show compliance with this section.

2.11 **EFFECTIVE DATE.** This section is effective January 1, 2025.