

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 62
(Third Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 3, strike “person” and substitute “distributor or retailer”; strike beginning with “that” in line 3 down through “certificate” in line 4 and substitute “under certain circumstances”; in line 14, after “regulations;” insert “requiring the Department to give certain notice to the Department of Legislative Services if a federal law establishing certain consumer product safety standards is enacted; providing for the termination of this Act under certain circumstances; providing for a delayed effective date;”.

AMENDMENT NO. 2

On page 4, strike beginning with “**(1)**” in line 10 down through “**CHILD**” in line 11 and substitute “**“CHILD**”; and strike in their entirety lines 12 through 14, inclusive.

AMENDMENT NO. 3

On page 5, in line 7, after “**ANY**” insert “**ACCESSIBLE**”; in line 9, strike “**THE LESSER OF:**”; in line 10, strike “**(1)**”; strike beginning with the semicolon in line 11 down through “**PRODUCTS**” in line 14; and in line 15, after “**THAT**” insert “**:**”

(1) PRODUCES A PRODUCT OR A COMPONENT OF A PRODUCT;

(2) FOR A MULTICOMPONENT PRODUCT, PRODUCES OR ASSEMBLES THE FINAL PRODUCT; OR

(3)”.

(Over)

AMENDMENT NO. 4

On pages 6 and 7, strike beginning with line 25 on page 6 through line 3 on page 7, inclusive, and substitute:

“(A) A PERSON MAY NOT MANUFACTURE A CHILDREN’S PRODUCT THAT IS A LEAD-CONTAINING PRODUCT.

(B) (1) A MANUFACTURER MAY NOT SELL, OFFER FOR SALE, IMPORT, OR DISTRIBUTE, BY ANY MEANS, INCLUDING THROUGH A SALES OUTLET, A CATALOG, OR THE INTERNET, A CHILDREN’S PRODUCT THAT IS A LEAD-CONTAINING PRODUCT.

(2) A PERSON OTHER THAN A MANUFACTURER MAY NOT KNOWINGLY SELL, OFFER FOR SALE, IMPORT, OR DISTRIBUTE, BY ANY MEANS, INCLUDING THROUGH A SALES OUTLET, A CATALOG, OR THE INTERNET, A CHILDREN’S PRODUCT THAT IS A LEAD-CONTAINING PRODUCT.”.

AMENDMENT NO. 5

On page 8, in line 7, strike “AN INDEPENDENT THIRD PARTY” and substitute “A”; and strike in their entirety lines 9 through 13, inclusive, and substitute:

“(I) 1. IS NOT OWNED, MANAGED, CONTROLLED, OR DIRECTED BY THE MANUFACTURER; AND

2. IS ACCREDITED IN ACCORDANCE WITH AN ACCREDITATION PROCESS ESTABLISHED OR RECOGNIZED BY THE DEPARTMENT; OR

(II) 1. IS OWNED, MANAGED, CONTROLLED, OR DIRECTED BY THE MANUFACTURER;

2. IS ACCREDITED IN ACCORDANCE WITH AN ACCREDITATION PROCESS ESTABLISHED BY THE DEPARTMENT; AND

3. HAS PROCEDURES APPROVED IN ACCORDANCE WITH AN APPROVAL PROCESS UNDER FEDERAL LAW OR ESTABLISHED OR RECOGNIZED BY THE DEPARTMENT TO ENSURE THAT THE TESTING ENTITY IS PROTECTED FROM UNDUE INFLUENCE; AND”.

On page 9, in line 1, strike “PERSON” and substitute “DISTRIBUTOR OR RETAILER”.

AMENDMENT NO. 6

On page 11, after line 19, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That, if a federal law establishing consumer product safety standards for lead content in children’s products is enacted:

(1) within 10 days after its enactment, the Department of the Environment shall notify the Department of Legislative Services about the enactment of the federal law; and

(2) 5 days after the date the Department of Legislative Services receives notice under item (1) of this section, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.”;

in line 20, strike “2.” and substitute “3.”; and in line 24, strike “July 1, 2008” and substitute “June 1, 2009”.