

# HOUSE BILL 145

J1

11r0612

---

By: **Delegates Hubbard, Barnes, Bobo, Branch, Braveboy, Costa, Cullison, Frush, Gaines, Holmes, Hucker, A. Kelly, Lee, Mizeur, Murphy, Nathan-Pulliam, Niemann, Oaks, Pena-Melnyk, Rosenberg, Ross, Tarrant, V. Turner, Valentino-Smith, Waldstreicher, Walker, and Zucker**

Introduced and read first time: January 26, 2011

Assigned to: Health and Government Operations

---

## A BILL ENTITLED

1 AN ACT concerning

2 **Health – Cadmium in Children’s Jewelry – Prohibition**

3 FOR the purpose of prohibiting a person, on or after a certain date, from  
4 manufacturing, selling, offering for sale, or distributing in the State certain  
5 children’s jewelry that contains a certain amount of cadmium; requiring the  
6 Department of Health and Mental Hygiene, in consultation with the  
7 Department of the Environment, to adopt certain regulations; providing that  
8 this Act does not apply to certain toys regulated under a certain federal law;  
9 defining certain terms; and generally relating to a prohibition on cadmium in  
10 children’s jewelry.

11 BY adding to

12 Article – Health – General

13 Section 24–305

14 Annotated Code of Maryland

15 (2009 Replacement Volume and 2010 Supplement)

16 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
17 MARYLAND, That the Laws of Maryland read as follows:

18 **Article – Health – General**

19 **24–305.**

20 **(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE**  
21 **MEANINGS INDICATED.**

---

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1           **(2) “CADMIUM” MEANS ELEMENTAL CADMIUM AND ANY**  
2 **COMPOUND OR ALLOY THAT CONTAINS CADMIUM.**

3           **(3) “CHILDREN’S JEWELRY” MEANS ANY JEWELRY, INCLUDING A**  
4 **CHARM, BRACELET, PENDANT, NECKLACE, EARRING, OR RING, AND ANY**  
5 **COMPONENT OF JEWELRY, DESIGNED OR INTENDED TO BE WORN OR USED BY A**  
6 **CHILD UNDER THE AGE OF 12 YEARS.**

7           **(B) ON OR AFTER JULY 1, 2012, A PERSON MAY NOT MANUFACTURE,**  
8 **SELL, OFFER FOR SALE, OR DISTRIBUTE IN THE STATE ANY CHILDREN’S**  
9 **JEWELRY THAT CONTAINS CADMIUM AT MORE THAN 0.0075% BY WEIGHT.**

10           **(C) THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE, IN**  
11 **CONSULTATION WITH THE DEPARTMENT OF THE ENVIRONMENT, SHALL ADOPT**  
12 **REGULATIONS TO IMPLEMENT THIS SECTION.**

13           **(D) THIS SECTION DOES NOT APPLY TO ANY TOY REGULATED FOR**  
14 **CADMIUM EXPOSURE UNDER THE FEDERAL CONSUMER PRODUCT SAFETY**  
15 **IMPROVEMENT ACT OF 2008.**

16           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
17 July 1, 2011.