

SENATE BILL 713

M3

7lr3288
CF HB 504

By: **Senators Young, Madaleno, Manno, Pinsky, and Smith**

Introduced and read first time: February 3, 2017

Assigned to: Education, Health, and Environmental Affairs

Committee Report: Favorable

Senate action: Adopted with floor amendments

Read second time: March 15, 2017

CHAPTER _____

1 AN ACT concerning

2 **Products That Contain Mercury – Prohibition on Sale of Electric Switches,**
3 **Electric Relays, and Gas Valve Switches**

4 FOR the purpose of prohibiting a certain marketer from selling or providing certain electric
5 switches, electric relays, and gas valve switches that contain mercury to a consumer;
6 providing for the application of this Act; providing for a delayed effective date; and
7 generally relating to products that contain mercury.

8 BY renumbering

9 Article – Environment

10 Section 6–905.3 through 6–905.6, respectively

11 to be Section 6–905.4 through 6–905.7, respectively

12 Annotated Code of Maryland

13 (2013 Replacement Volume and 2016 Supplement)

14 BY repealing and reenacting, without amendments,

15 Article – Environment

16 Section 6–905(a)

17 Annotated Code of Maryland

18 (2013 Replacement Volume and 2016 Supplement)

19 BY adding to

20 Article – Environment

21 Section 6–905(b–1), (b–2), and (c–1) and 6–905.3

22 Annotated Code of Maryland

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



(2013 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,
Article – Environment
Section 6–905(e) and (f)
Annotated Code of Maryland
(2013 Replacement Volume and 2016 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
That Section(s) 6–905.3 through 6–905.6, respectively, of Article – Environment of the
Annotated Code of Maryland be renumbered to be Section(s) 6–905.4 through 6–905.7,
respectively.

SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read
as follows:

Article – Environment

6–905.

(a) In this part the following words have the meanings indicated.

**(B–1) “ELECTRIC RELAY” MEANS A PRODUCT OR DEVICE THAT OPENS OR
CLOSES ELECTRICAL CONTACTS TO EFFECT THE OPERATION OF OTHER DEVICES IN
THE SAME OR ANOTHER ELECTRICAL CIRCUIT.**

**(B–2) “ELECTRIC SWITCH” MEANS A PRODUCT OR DEVICE THAT OPENS OR
CLOSES AN ELECTRICAL CIRCUIT.**

**(C–1) “GAS VALVE SWITCH” MEANS A PRODUCT OR DEVICE THAT OPENS OR
CLOSES A GAS VALVE.**

(e) “Marketer” means a person that manufactures, assembles, sells, distributes,
affixes a brand name or private label to, or licenses the use of a brand name on:

(1) A fever thermometer containing mercury; [or]

(2) A thermostat containing mercury;

(3) AN ELECTRIC SWITCH CONTAINING MERCURY;

(4) AN ELECTRIC RELAY CONTAINING MERCURY; OR

(5) A GAS VALVE SWITCH CONTAINING MERCURY.

1 (f) "Mercury-added product" means any of the following products if containing
2 elemental mercury or a mercury compound that has been added to the product for any
3 reason:

4 (1) Dyes or pigments; AND

5 (2) [Electric switches; and

6 (3)] Fluorescent lamps.

7 **6-905.3.**

8 (A) EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, A
9 MARKETER MAY NOT SELL OR PROVIDE TO A CONSUMER INDIVIDUALLY OR AS A
10 PRODUCT COMPONENT:

11 (1) AN ELECTRIC SWITCH CONTAINING MERCURY;

12 (2) AN ELECTRIC RELAY CONTAINING MERCURY; OR

13 (3) A GAS VALVE SWITCH CONTAINING MERCURY.

14 (B) THIS SECTION DOES NOT APPLY TO AN ELECTRIC SWITCH, AN ELECTRIC
15 RELAY, OR A GAS VALVE SWITCH THAT IS SOLD OR PROVIDED TO REPLACE A SWITCH
16 OR RELAY THAT IS A COMPONENT OF A LARGER PRODUCT IN USE ON OR BEFORE
17 OCTOBER 1, ~~2017~~ 2018, IF:

18 (1) THE LARGER PRODUCT IS USED IN MANUFACTURING;

19 (2) THE LARGER PRODUCT IS USED IN A GENERATING,
20 TRANSMISSION, OR DISTRIBUTING FACILITY FOR ELECTRIC ENERGY, GAS, OR
21 WATER;

22 (3) THE SWITCH OR RELAY IS INTEGRATED WITH, AND NOT
23 PHYSICALLY SEPARATE FROM, OTHER COMPONENTS OF THE LARGER PRODUCT; OR

24 (4) THE USE OF THE SWITCH OR RELAY IS REQUIRED UNDER FEDERAL
25 LAW OR REGULATION.

26 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
27 October 1, ~~2017~~ 2018.