

HOUSE BILL 145

J1

(11r0612)

ENROLLED BILL

— Health and Government Operations/Education, Health, and Environmental Affairs —

Introduced by **Delegates Hubbard, Barnes, Bobo, Branch, Braveboy, Costa, Cullison, Frush, Gaines, Holmes, Huckler, A. Kelly, Lee, Mizeur, Murphy, Nathan-Pulliam, Niemann, Oaks, Pena-Melnyk, Rosenberg, Ross, Tarrant, V. Turner, Valentino-Smith, Waldstreicher, Walker, ~~and Zucker~~ Zucker, Donoghue, Kipke, Morhaim, Pendergrass, and Reznik**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

_____ day of _____ at _____ o'clock, _____ M.

Speaker.

CHAPTER _____

1 AN ACT concerning

2 ~~Health~~ **Environment** – 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~~
6 authorizing the ~~Department of Health and Mental Hygiene, in consultation~~
7 ~~with the~~ Department of the Environment, to adopt certain regulations;
8 providing that this Act does not apply to certain toys regulated under a certain
9 federal law; defining certain terms; and generally relating to a prohibition on
10 cadmium in children’s jewelry.

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.

Italics indicate opposite chamber/conference committee amendments.



1 ~~BY adding to~~
 2 ~~Article – Health – General~~
 3 ~~Section 24-305~~
 4 ~~Annotated Code of Maryland~~
 5 ~~(2009 Replacement Volume and 2010 Supplement)~~

6 BY adding to
 7 Article – Environment
 8 Section 6-1401 through 6-1404 to be under the new subtitle “Subtitle 14.
 9 Cadmium in Children’s Jewelry”
 10 Annotated Code of Maryland
 11 (2007 Replacement Volume and 2010 Supplement)

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

14 ~~Article – Health – General~~
 15 ~~24-305.~~

16 Article – Environment

17 SUBTITLE 14. CADMIUM IN CHILDREN’S JEWELRY.

18 6-1401.

19 (A) ~~(1)~~ IN THIS ~~SECTION~~ SUBTITLE THE FOLLOWING WORDS HAVE
 20 THE MEANINGS INDICATED.

21 ~~(2)~~ (B) “CADMIUM” MEANS ELEMENTAL CADMIUM AND ANY
 22 COMPOUND OR ALLOY THAT CONTAINS CADMIUM.

23 ~~(3)~~ (C) “CHILDREN’S JEWELRY” MEANS ANY JEWELRY,
 24 INCLUDING A CHARM, BRACELET, PENDANT, NECKLACE, EARRING, OR RING,
 25 AND ANY COMPONENT OF JEWELRY, DESIGNED OR INTENDED TO BE WORN OR
 26 USED BY A CHILD UNDER THE AGE OF ~~12~~ 13 YEARS.

27 6-1402.

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

31 6-1403.

1 ~~(C)~~ ~~THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE, IN~~
2 ~~CONSULTATION WITH THE DEPARTMENT OF THE ENVIRONMENT, SHALL~~ MAY
3 ADOPT REGULATIONS TO IMPLEMENT THIS ~~SECTION~~ SUBTITLE.

4 6-1404.

5 ~~(D)~~ ~~THIS SECTION~~ SUBTITLE DOES NOT APPLY TO ANY TOY REGULATED
6 FOR CADMIUM EXPOSURE UNDER THE FEDERAL CONSUMER PRODUCT SAFETY
7 IMPROVEMENT ACT OF 2008.

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

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.