

STATE OF NEW YORK

6291--A

Cal. No. 1041

2021-2022 Regular Sessions

IN SENATE

April 20, 2021

Introduced by Sens. HOYLMAN, BAILEY, CLEARE, MANNION, MYRIE, RIVERA, SEPULVEDA -- read twice and ordered printed, and when printed to be committed to the Committee on Environmental Conservation -- recommit- ted to the Committee on Environmental Conservation in accordance with Senate Rule 6, sec. 8 -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, amended and ordered reprinted, retaining its place in the order of third reading

AN ACT to amend the environmental conservation law, in relation to prohibiting the use of perfluoroalkyl and polyfluoroalkyl substances in apparel

The People of the State of New York, represented in Senate and Assem- bly, do enact as follows:

1 Section 1. Section 37-0101 of the environmental conservation law is
2 amended by adding a new subdivision 7 to read as follows:

3 7. "Perfluoroalkyl and polyfluoroalkyl substances" or "PFAS" shall
4 mean a class of fluorinated organic chemicals containing at least one
5 fully fluorinated carbon atom.

6 § 2. The environmental conservation law is amended by adding a new
7 section 37-0121 to read as follows:

8 § 37-0121. Prohibition against the use of perfluoroalkyl and polyfluoro-
9 alkyl substances in apparel.

10 1. No person shall sell or offer for sale in this state any apparel
11 containing perfluoroalkyl and polyfluoroalkyl substances as inten-
12 tionally added chemicals.

13 2. For the purposes of this section, the following terms shall have
14 the following meanings:

15 (a) "Intentionally added chemical" means a chemical in a product that
16 serves an intended function in the product component.

17 (b) "Apparel" means clothing items intended for regular wear or formal
18 occasions including, but not limited to, undergarments, shirts, pants,

EXPLANATION--Matter in italics (underscored) is new; matter in brackets
[-] is old law to be omitted.

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1 skirts, dresses, overalls, bodysuits, vests, dancewear, suits, saris,
2 scarves, tops, leggings, leisurewear, formal wear, onesies, bibs, and
3 diapers. "Apparel" shall not include professional uniforms or outerwear
4 intended for extreme conditions.

5 § 3. This act shall take effect December 31, 2023. Effective imme-
6 diately, the addition, amendment and/or repeal of any rule or regulation
7 necessary for the implementation of this act on its effective date are
8 authorized to be made and completed on or before such effective date.