STATE OF NEW YORK

7063--A

2021-2022 Regular Sessions

IN ASSEMBLY

April 21, 2021

Introduced by M. of A. FAHY, SIMON, COLTON, DINOWITZ, EPSTEIN, STECK, ZINERMAN, STIRPE, GOTTFRIED, STERN, QUART, ZEBROWSKI, JACOBSON, THIELE, LUNSFORD, BURDICK, GLICK, DAVILA, L. ROSENTHAL -- read once and referred to the Committee on Environmental Conservation -- recommitted to the Committee on Environmental Conservation in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

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 Assembly, do enact as follows:

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

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

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

§ 37-0121. Prohibition against the use of perfluoroalkyl and polyfluoroalkyl substances in apparel.

1. No person shall sell or offer for sale in this state any apparel containing perfluoroalkyl and polyfluoroalkyl substances as intentionally added chemicals.

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

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

(b) "Apparel" means clothing items intended for regular wear or formal occasions including, but not limited to, undergarments, shirts, pants, skirts, dresses, overalls, bodysuits, vests, dancewear, suits, saris,

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

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scarves, tops, leggings, leisurewear, formal wear, onesies, bibs, and diapers. "Apparel" shall not include professional uniforms or outerwear intended for extreme conditions.

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