

# STATE OF NEW YORK

7063

2021-2022 Regular Sessions

## IN ASSEMBLY

April 21, 2021

Introduced by M. of A. FAHY -- read once and referred to the Committee on Environmental Conservation

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

The People of the State of New York, represented in Senate and Assembly, 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 common apparel.

10 1. No person shall manufacture, distribute, sell, or offer for sale in  
11 this state any common apparel containing perfluoroalkyl and polyfluoro-  
12 alkyl substances as intentionally added chemicals.

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

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

17 (b) "Common apparel" means clothing items intended for regular wear or  
18 formal occasions including, but not limited to, undergarments, shirts,  
19 pants, skirts, dresses, overalls, bodysuits, vests, dancewear, suits,  
20 saris, scarves, tops, leggings, leisurewear, formal wear, onesies, bibs,  
21 and diapers. "Common apparel" shall not include professional uniforms or  
22 outerwear intended for extreme conditions.

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

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

LBD10620-01-1