

HOUSE COMMITTEE OF REFERENCE REPORT

Chair of Committee

Date

March 11, 2021

Committee on Energy & Environment.

After consideration on the merits, the Committee recommends the following:

HB21-1162 be amended as follows, and as so amended, be referred to the Committee on Finance with favorable recommendation:

1 Amend printed bill, page 3, strike line 27.

2 Page 4, strike lines 1 through 5.

3 Renumber succeeding subparagraphs accordingly.

4 Page 12, strike line 22 and substitute:

5 **"25-17-508. Exemption for medical products.** NOTHING IN THIS
6 PART 5 PROHIBITS OR LIMITS THE USE OF ANY MATERIAL USED IN THE
7 PACKAGING OF A PRODUCT THAT IS REGULATED AS A DRUG, MEDICAL
8 DEVICE, OR DIETARY SUPPLEMENT BY THE FOOD AND DRUG
9 ADMINISTRATION IN THE UNITED STATES DEPARTMENT OF HEALTH AND
10 HUMAN SERVICES UNDER THE "FEDERAL FOOD, DRUG, AND COSMETIC
11 ACT", 21 U.S.C. SEC. 321 ET SEQ., AS AMENDED, OR ANY EQUIPMENT AND
12 MATERIALS USED TO MANUFACTURE SUCH PRODUCTS.

13 **25-17-509. Local government regulation as or more stringent**
14 **- regulation of medical products packaging preempted.** (1) EXCEPT
15 AS PROVIDED IN SUBSECTION (2) OF THIS SECTION, ON AND".

16 Page 12, after line 25 insert:

17 "(2) A LOCAL GOVERNMENT SHALL NOT ENACT, IMPLEMENT, OR
18 ENFORCE ANY ORDINANCE, RESOLUTION, RULE, OR CHARTER PROVISION
19 THAT PROHIBITS OR LIMITS THE USE OF ANY MATERIAL USED IN THE

1 PACKAGING OF A PRODUCT THAT IS REGULATED AS A DRUG, MEDICAL
2 DEVICE, OR DIETARY SUPPLEMENT BY THE FOOD AND DRUG
3 ADMINISTRATION IN THE UNITED STATES DEPARTMENT OF HEALTH AND
4 HUMAN SERVICES UNDER THE "FEDERAL FOOD, DRUG, AND COSMETIC
5 ACT", 21 U.S.C. SEC. 321 ET SEQ., AS AMENDED, OR ANY EQUIPMENT AND
6 MATERIALS USED TO MANUFACTURE SUCH PRODUCTS."

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