

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Energy & Environment.

HB22-1345 be amended as follows:

1 Amend printed bill, page 15, strike lines 24 through 27.

2 Strike pages 16 through 18.

3 Page 19, strike lines 1 through 17 and substitute:

4 "(2) (a) ON AND AFTER JANUARY 1, 2025, THE DIVISION MAY
5 DESIGNATE PRODUCTS OR PRODUCT CATEGORIES THAT CONTAIN
6 INTENTIONALLY ADDED PFAS CHEMICALS AS PRIORITY PRODUCTS OR
7 PRIORITY PRODUCT CATEGORIES.

8 (b) IN IDENTIFYING PRIORITY PRODUCTS AND PRIORITY PRODUCT
9 CATEGORIES, THE DIVISION SHALL CONSIDER:

10 (I) WHETHER ANOTHER STATE OR JURISDICTION HAS RESTRICTED
11 OR PROHIBITED A PERSON FROM SELLING, OFFERING FOR SALE,
12 DISTRIBUTING FOR SALE, OR DISTRIBUTING FOR USE A PRODUCT OR
13 PRODUCT CATEGORY;

14 (II) WHETHER A SCIENTIFIC ORGANIZATION OR FEDERAL OR STATE
15 GOVERNMENTAL AGENCY HAS DETERMINED THAT THERE IS A SAFER
16 ALTERNATIVE TO PFAS CHEMICALS IN A PARTICULAR PRODUCT OR
17 PRODUCT CATEGORY;

18 (III) WHETHER THE USE OF PFAS CHEMICALS IN A PRODUCT OR
19 PRODUCT CATEGORY CONSTITUTES A CURRENTLY UNAVOIDABLE USE; AND

20 (IV) BASED ON INFORMATION AVAILABLE TO THE DIVISION, A
21 PRODUCT'S OR PRODUCT CATEGORY'S RISK OF EXPOSING SENSITIVE
22 POPULATIONS, SENSITIVE SPECIES, AND THE OUTDOOR AND INDOOR
23 ENVIRONMENT TO PFAS CHEMICALS.

24 (c) UPON DESIGNATION OF A PRIORITY PRODUCT OR PRIORITY
25 PRODUCT CATEGORY, THE DIVISION SHALL SUBMIT A RECOMMENDATION
26 TO THE STATE BOARD OF HEALTH CREATED IN SECTION 25-1-103 (1) THAT
27 DESCRIBES WHAT ACTION IS NEEDED BY THE STATE BOARD OF HEALTH TO
28 PROHIBIT OR RESTRICT THE PRODUCTION, SALE, OR DISTRIBUTION OF THE
29 PRIORITY PRODUCTS OR PRIORITY PRODUCT CATEGORIES THAT CONTAIN
30 INTENTIONALLY ADDED PFAS CHEMICALS.

31 (d) UPON RECEIVING A RECOMMENDATION DESCRIBED IN
32 SUBSECTION (2)(c) OF THIS SECTION, THE STATE BOARD OF HEALTH
33 CREATED IN SECTION 25-1-103 (1) MAY PROMULGATE RULES PROHIBITING
34 OR RESTRICTING THE PRODUCTION, SALE, OR DISTRIBUTION OF THE
35 PRIORITY PRODUCTS OR PRIORITY PRODUCT CATEGORIES THAT CONTAIN
36 INTENTIONALLY ADDED PFAS CHEMICALS."

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