

By: Alvarado

H.B. No. 129

A BILL TO BE ENTITLED

AN ACT

1
2 relating to prohibiting the manufacture and sale of certain
3 children's products containing bisphenol-A or certain other
4 substances.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6 SECTION 1. Subchapter B, Chapter 501, Health and Safety
7 Code, is amended by adding Section 501.0237 to read as follows:

8 Sec. 501.0237. BISPHENOL-A AND OTHER SUBSTANCES PROHIBITED
9 IN CERTAIN PRODUCTS. (a) In this section, "child's product" means:

10 (1) a toy designed or intended to be used for play by a
11 child younger than three years of age;

12 (2) cosmetics designed or intended to be used by a
13 child younger than three years of age;

14 (3) jewelry designed or intended for a child younger
15 than three years of age; or

16 (4) a product designed or intended for an infant or
17 child younger than three years of age to help with sucking or
18 teething or to facilitate sleep, relaxation, or feeding of the
19 infant or child.

20 (b) A person may not manufacture or sell a child's product
21 containing bisphenol-A.

22 (b-1) Notwithstanding Subsections (b), (c), and (d), a
23 person may manufacture or sell an infant formula container
24 containing bisphenol-A. This subsection expires January 1, 2015.

1 (c) A person may not manufacture or sell a child's product
2 containing any chemical that is:

3 (1) classified as "known to be a human carcinogen" or
4 "reasonably anticipated to be a human carcinogen" in the latest
5 Report on Carcinogens published by the National Toxicology Program
6 administered by the United States Department of Health and Human
7 Services; or

8 (2) identified by the United States Environmental
9 Protection Agency as causing birth defects, hormone disruption, or
10 harm to human reproduction or fetal development.

11 (d) A product described by Subsection (b) or (c) is a banned
12 hazardous substance for purposes of this chapter.

13 SECTION 2. This Act takes effect September 1, 2011.