

First Regular Session
Seventieth General Assembly
STATE OF COLORADO

REREVISED

*This Version Includes All Amendments
Adopted in the Second House*

LLS NO. 15-0700.01 Kristen Forrestal x4217

HOUSE BILL 15-1144

HOUSE SPONSORSHIP

Primavera,

SENATE SPONSORSHIP

Todd,

House Committees

Public Health Care & Human Services

Senate Committees

Health & Human Services

A BILL FOR AN ACT

101 **CONCERNING THE PROHIBITION OF SYNTHETIC PLASTIC MICROBEADS**
102 **IN PERSONAL CARE PRODUCTS.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/billsummaries>.)

The bill prohibits the production, manufacture, or acceptance for sale of personal care products, including over-the-counter drugs, that contain synthetic plastic microbeads. The prohibition is phased in from January 1, 2018, through January 1, 2020. The penalty for each violation may be from \$1,000 to \$10,000.

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

SENATE
3rd Reading Unamended
March 11, 2015

SENATE
2nd Reading Unamended
March 10, 2015

HOUSE
3rd Reading Unamended
February 19, 2015

HOUSE
Amended 2nd Reading
February 13, 2015

1 POLYMER CHAIN THAT CAN BE MOLDED OR EXTRUDED AT HIGH HEAT INTO
2 VARIOUS SOLID FORMS THAT RETAIN THEIR DEFINED SHAPES DURING THE
3 LIFE CYCLE AND AFTER DISPOSAL.

4 (4) "SYNTHETIC PLASTIC MICROBEAD" MEANS AN INTENTIONALLY
5 ADDED, NONBIODEGRADABLE, SOLID PLASTIC PARTICLE MEASURING LESS
6 THAN FIVE MILLIMETERS IN SIZE INTENDED TO AID IN EXFOLIATING OR
7 CLEANSING AS PART OF A RINSE-OFF PRODUCT.

8 **25-5-1203. Personal care products containing microbeads -**
9 **production, manufacture, and sale prohibited.** (1) ON AND AFTER
10 JANUARY 1, 2018, A PERSON SHALL NOT PRODUCE OR MANUFACTURE IN
11 THIS STATE A PERSONAL CARE PRODUCT CONTAINING SYNTHETIC PLASTIC
12 MICROBEADS, EXCEPT FOR AN OVER-THE-COUNTER DRUG.

13 (2) ON AND AFTER JANUARY 1, 2019, A PERSON SHALL NOT:

14 (a) ACCEPT FOR SALE IN THIS STATE A PERSONAL CARE PRODUCT
15 THAT CONTAINS SYNTHETIC PLASTIC MICROBEADS, EXCEPT FOR AN
16 OVER-THE-COUNTER DRUG; OR

17 (b) PRODUCE OR MANUFACTURE IN THIS STATE AN
18 OVER-THE-COUNTER DRUG THAT CONTAINS SYNTHETIC PLASTIC
19 MICROBEADS.

20 (3) ON AND AFTER JANUARY 1, 2020, A PERSON SHALL NOT ACCEPT
21 FOR SALE IN THIS STATE AN OVER-THE-COUNTER DRUG THAT CONTAINS
22 SYNTHETIC PLASTIC MICROBEADS.

23 **25-5-1204. Penalty for violation.** A PERSON WHO VIOLATES ANY
24 PROVISION OF THIS PART 12 IS SUBJECT TO A CIVIL PENALTY OF NOT LESS
25 THAN ONE THOUSAND DOLLARS AND NOT MORE THAN TEN THOUSAND
26 DOLLARS FOR EACH OFFENSE. THE PENALTY IS DETERMINED AND
27 COLLECTED BY THE DISTRICT COURT FOR THE JUDICIAL DISTRICT IN WHICH

1 THE VIOLATION OCCURS UPON AN ACTION INSTITUTED BY THE
2 DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT. THE DISTRICT
3 COURT SHALL TRANSMIT PENALTIES COLLECTED PURSUANT TO THIS
4 SECTION TO THE STATE TREASURER, WHO SHALL CREDIT THE MONEYS TO
5 THE GENERAL FUND.

6 **SECTION 2. Act subject to petition - effective date.** This act
7 takes effect at 12:01 a.m. on the day following the expiration of the
8 ninety-day period after final adjournment of the general assembly
9 (August 5, 2015, if adjournment sine die is on May 6, 2015); except that,
10 if a referendum petition is filed pursuant to section 1 (3) of article V of
11 the state constitution against this act or an item, section, or part of this act
12 within such period, then the act, item, section, or part will not take effect
13 unless approved by the people at the general election to be held in
14 November 2016 and, in such case, will take effect on the date of the
15 official declaration of the vote thereon by the governor.