

SSB 5135 - H AMD TO ENVI COMM AMD (H-2702.2/19) **722**
By Representative Doglio

ADOPTED 04/15/2019

1 On page 2, after line 27, insert the following:

2 "(14) "Electronic product" includes personal computers, audio and
3 video equipment, calculators, wireless phones, game consoles, and
4 handheld devices incorporating a video screen that are used to access
5 interactive software, and the peripherals associated with such
6 products.

7 (15) "Inaccessible electronic component" means a part or
8 component of an electronic product that is located inside and
9 entirely enclosed within another material and is not capable of
10 coming out of the product or being accessed during any reasonably
11 foreseeable use or abuse of the product."

12 On page 5, after line 19, insert the following:

13 "(6) For an electronic product identified by the department as a
14 priority consumer product under this section, the department may not
15 make a regulatory determination under section 4 of this act to
16 restrict or require the disclosure of a priority chemical in an
17 inaccessible electronic component of the electronic product."

18 On page 6, beginning on line 8, after "(b)(i)" strike all
19 material through "(iii)" on line 13

20 Renumber the remaining subsection consecutively and correct any
21 internal references accordingly.

22 On page 6, line 17, after "(4)" insert "When determining
23 regulatory actions under this section, the department may consider,
24 in addition to the criteria pertaining to the selection of priority
25 chemicals and priority consumer products that are specified in
26 sections 2 and 3 of this act, whether:

27 (a) The priority chemical or members of a class of priority
28 chemicals are functionally necessary in the priority consumer
29 product; and

1 (b) A restriction would be consistent with regulatory actions
2 taken by another state or nation on a priority chemical or members of
3 a class of priority chemicals in a product.

4 (5) "

EFFECT: (1) Prohibits the Department of Ecology (Department) from restricting or requiring disclosure of inaccessible electronic components of electronic products identified as priority consumer products by the Department.

(2) Changes the standard by which the Department may restrict a priority chemical in a priority consumer product to require that safer alternatives are feasible and available, and that the restriction is either necessary to protect sensitive species or populations or will reduce a significant source of or use of a priority chemical.

(3) Authorizes the Department to consider for purposes of determining regulatory actions, in addition to the criteria used for the selection of priority chemicals and priority consumer products, whether: (a) The priority chemical or members of a class of chemicals are functionally necessary in a consumer product; and (b) restrictions would be consistent with regulatory actions taken by other states or nations.

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