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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-FIFTH
SESSION

HOUSE FILE No. **1622**

March 1, 2007

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The bill was read for the first time and referred to the Committee on Health and Human Services

1.1 A bill for an act
1.2 relating to children's environmental health; prohibiting the sale of children's
1.3 items containing lead; establishing requirements for paint retailers; proposing
1.4 coding for new law in Minnesota Statutes, chapter 325E.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. **[325E.385] SALE OF CHILDREN'S ITEMS CONTAINING LEAD**
1.7 **PROHIBITED.**

1.8 Subdivision 1. **Short title.** This section may be cited as the "Jarnell Brown Act."

1.9 Subd. 2. **Definition.** For the purposes of this section "lead-bearing substance"
1.10 means an item containing or coated with lead so that the lead content is more than 600
1.11 parts per million of lead, or, for candy, more than 0.0 parts per million.

1.12 Subd. 3. **Sale prohibited.** On or after July 1, 2007, no person shall sell, offer for
1.13 sale, transfer, or distribute free of charge toys, furniture, clothing, accessories, jewelry,
1.14 decorative objects, edible items, candy, food, dietary supplements, or other articles used
1.15 by or intended to be chewable by children containing a lead-bearing substance.

1.16 Sec. 2. **[325E.386] REQUIREMENTS FOR PAINT RETAILERS.**

1.17 A person selling paint to the public in quantities of one gallon or more must do
1.18 the following:

1.19 (1) offer copies of the United States Environmental Protection Agency's "Protecting
1.20 Your Family From Lead" pamphlet to all paint customers;

1.21 (2) place a poster visible in the paint department that informs customers of the
1.22 right to receive a copy of the pamphlet; and

- 2.1 (3) offer for sale a lead dust test kit that is capable of determining the presence of
- 2.2 lead-based paint hazards.