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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-SECOND SESSION

H. F. No. 3180

02/07/2022 Authored by Jordan, Wazlawik, Lee, Becker-Finn, Morrison and others
02/28/2022 The bill was read for the first time and referred to the Committee on Environment and Natural Resources Finance and Policy
Adoption of Report: Amended and re-referred to the Committee on Commerce Finance and Policy

1.1 A bill for an act
1.2 relating to environment; prohibiting PFAS in certain home and commercial
1.3 furnishings; proposing coding for new law in Minnesota Statutes, chapter 116.

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

1.5 Section 1. [116.943] PFAS IN CARPETS AND TEXTILES.

1.6 Subdivision 1. Definitions. For purposes of this section, the following terms have the
1.7 meanings given:

1.8 (1) "carpet or rug" means a fabric marketed or intended for use as a floor covering;

1.9 (2) "fabric treatment" means a substance applied to fabric to give the fabric one or more
1.10 characteristics, including but not limited to stain resistance or water resistance;

1.11 (3) "perfluoroalkyl and polyfluoroalkyl substances" or "PFAS" means substances that
1.12 include any member of the class of fluorinated organic chemicals containing at least one
1.13 fully fluorinated carbon atom;

1.14 (4) "upholstered furniture" means an article of furniture that is designed to be used for
1.15 sitting, resting, or reclining and that is wholly or partly stuffed or filled with any filling
1.16 material;

1.17 (5) "textile" means an item made in whole or part from a natural or synthetic fiber, yarn,
1.18 or fabric. Textile includes but is not limited to leather, cotton, silk, jute, hemp, wool, nylon,
1.19 and polyester; and

2.1 (6) "textile furnishings" means textile goods of a type customarily used in households
2.2 and businesses, including but not limited to draperies, floor coverings, furnishings, beddings,
2.3 towels, and tablecloths.

2.4 Subd. 2. **Prohibition.** (a) A person must not manufacture, sell, offer to sell, or distribute
2.5 for sale in the state any of the following that contains perfluoroalkyl and polyfluoroalkyl
2.6 substances:

2.7 (1) a carpet or rug;

2.8 (2) a fabric treatment;

2.9 (3) upholstered furniture; or

2.10 (4) textile furnishings.

2.11 (b) This subdivision does not apply to sale or resale of used products.

2.12 Subd. 3. **Enforcement.** (a) The commissioner of the Pollution Control Agency may
2.13 enforce this section under sections 115.071 and 116.072. The commissioner may coordinate
2.14 with the commissioners of commerce and health in enforcing this section.

2.15 (b) When requested by the commissioner of the Pollution Control Agency, a person
2.16 must furnish to the commissioner any information that the person may have or may
2.17 reasonably obtain that is relevant to show compliance with this section.

2.18 **EFFECTIVE DATE.** This section is effective January 1, 2024.