

**FISCAL IMPACT OF PROPOSED LEGISLATION****Measure: SB 478 - MRA**Seventy-Eighth Oregon Legislative Assembly – 2015 Regular Session  
Legislative Fiscal Office***Only Impacts on Original or Engrossed  
Versions are Considered Official***

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Date: 4/22/2015

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**Measure Description:**

Requires Oregon Health Authority to establish and maintain list of designated high priority chemicals of concern for children's health used in children's products and to periodically review and revise list.

**Government Unit(s) Affected:**

Oregon Health Authority (OHA), Department of Environmental Quality (DEQ), Department of Justice, Judicial Department

**Local Government Mandate:**

This bill does not affect local governments' service levels or shared revenues sufficient to trigger Section 15, Article XI of the Oregon Constitution.

**Analysis:****Analysis:**

This fiscal impact statement is for the purpose of transmitting Senate Bill 478 - MRA from the Senate Committee on Environment and Natural Resources to the Joint Committee on Ways and Means.

**Senate Bill 478 – MRA:**

- Establishes the High Priority Chemicals of Concern for Children's Health Fund.
- Defines chemicals, children's cosmetics, children's products, component, contaminant, manufacturer, practical quantification limit, and trade association.
- Requires the Oregon Health Authority (OHA) to establish, maintain, publish and update on its website, a list of high priority chemicals of concern for children's health. Specifies what should be initially included on this list, and the contents of the website.
- Authorizes OHA to review and recommend revisions to the list, including adding chemicals to the list after public notice and comment, and removing chemicals from the list.
- Allows persons to petition the OHA to consider developing a recommendation to add or remove a chemical from the list.
- Directs OHA to present a recommendation to revise the list in a report to an interim legislative committee by September 15 of the year in which the recommendation is proposed. Prohibits OHA from revising the list without express consent of the legislature.
- Requires manufacturers with products sold or offered for sale in Oregon that contains chemicals on this list to provide notice to OHA. Specifies information that must be included in notice to OHA.
- Authorizes OHA to enter into reciprocal data sharing agreements with other states which discloses information related to high priority chemicals of concern for children's health.

# Further Analysis Required

- Requires OHA to use the GS1 Global Product Classification system to identify and specify product categories subject to the data sharing agreements.
- Allows a manufacturer to submit a statement that a chemical has been removed from a product, or that the manufacturer no longer sells that product.
- Requires OHA to approve or disapprove these statements and act accordingly.
- Exempts certain manufacturers from requirements of this bill.
- Requires OHA to develop guidance for manufacturers, and to conduct testing of children's products to determine compliance.
- Allow OHA to impose civil penalty on manufacturer of children's products for violation of any provision of this bill. Sets parameters for civil penalties.

The bill is anticipated to have a fiscal impact on the Oregon Health Authority, the Department of Environmental Quality, the Department of Justice, and the Judicial Department. The amount of this impact is still being determined.

A more complete fiscal analysis on the bill will be prepared as the measure is considered in the Joint Committee on Ways and Means.

# Further Analysis Required