

Requested by Representative NERON

**PROPOSED AMENDMENTS TO
HOUSE BILL 2495**

1 On page 3 of the printed bill, line 17, after the period insert “If the au-
2 thority includes a class of chemicals on the list, the authority may exclude
3 from the list specific members of the class of chemicals that have a suffi-
4 ciently reduced toxicity profile and do not share the same hazards as the
5 other members of the class of chemicals.”.

6 On page 5, delete lines 7 through 31 and insert:

7 **“SECTION 4.** ORS 431A.263 is amended to read:

8 “431A.263. (1)(a) When a manufacturer of children’s products sold or of-
9 fered for sale in this state removes a high priority chemical of concern for
10 children’s health used in children’s products from a children’s product sold
11 or offered for sale in this state that is subject to ORS 431A.258 and substi-
12 tutes another chemical, the manufacturer must submit a hazard assessment
13 to the Oregon Health Authority that explains how the children’s product,
14 and any substitute chemical the children’s product contains, is inherently
15 less hazardous than before the substitution was made.

16 “(b) When a manufacturer of children’s products sold or offered for sale
17 in this state removes a high priority chemical of concern for children’s
18 health used in children’s products from a children’s product as described in
19 [*subsection (1) of this section*] **paragraph (a) of this subsection** and does
20 not substitute another chemical, the manufacturer must submit notice to the
21 authority that the manufacturer is no longer using the chemical or a sub-

1 stitute chemical.

2 “(2) The authority shall establish by rule the methodology that a man-
3 ufacturer must use and the standards that a children’s product must meet in
4 order to comply with the hazard assessment requirements described in sub-
5 section (1)(a) of this section.

6 “(3)(a) The authority shall approve or disapprove a hazard assessment
7 within 180 days after its submittal.

8 “(b) If the authority fails to act within 180 days, the hazard assessment
9 is deemed approved, and the manufacturer may continue to sell or offer for
10 sale in this state the children’s product for which the manufacturer submit-
11 ted a hazard assessment[.] **for a period of three years after the date of**
12 **submission of the hazard assessment.**

13 “(c) If the authority disapproves a hazard assessment, the manufacturer
14 may submit a revised hazard assessment for consideration within 180 days
15 after the authority’s disapproval.

16 “(d) **A hazard assessment approved or deemed approved under this**
17 **subsection is valid for a period of three years after the date of sub-**
18 **mission of the hazard assessment. A manufacturer must resubmit the**
19 **hazard assessment at the end of the three-year period.”.**

20 In line 32, after “(1)” insert “(a)”.

21 After line 33, insert:

22 “(b) The amendments to ORS 431A.258 (2)(b) by section 3 of this 2021 Act
23 apply to notices due to be submitted to the Oregon Health Authority under
24 ORS 431A.258 on or after January 31, 2024.”.

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