

FISCAL IMPACT OF PROPOSED LEGISLATION

Measure: SB 546 - A

82nd Oregon Legislative Assembly – 2023 Regular Session

Legislative Fiscal Office

Only Impacts on Original or Engrossed Versions are Considered Official

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Measure Description:

Requires Oregon Health Authority to adopt and maintain list of designated high priority chemicals of concern used in cosmetic products and to periodically review and revise list.

Government Unit(s) Affected:

Judicial Department, Oregon Health Authority

Summary of Fiscal Impact:

Costs related to the measure may require budgetary action - See analysis.

Summary of Expenditure Impact:

	2023-25 Biennium	2025-27 Biennium
Oregon Health Authority		
General Fund		
Personal Services	\$0	\$166,977
Services and Supplies	\$0	\$103,415
Total General Fund	\$0	\$270,392
Total Fiscal Impact	\$0	\$270,392
<i>Total Positions</i>	0	1
<i>Total FTE</i>	0.00	0.75

Analysis:

SB 546 - A directs the Oregon Health Authority (OHA) to adopt by rule a list of high priority chemicals of concern used in cosmetic products, and practical quantification limits for each of those chemicals. OHA is to post the list of high priority chemicals on its website, along with information regarding known health impacts from exposure to those chemicals. The list is to be reviewed and revised every three years.

Manufacturers of cosmetic products sold in Oregon and which contain high priority chemicals are to include a notice for Oregon consumers on the manufacturer’s website. The notice must meet certain labeling requirements, and list the chemicals identified by OHA as either being on the list of high priority chemicals, or identified by another government entity or research university as being disruptive to the body. The measure prohibits the manufacture, sale, and distribution of cosmetic products containing certain chemicals. OHA may impose a civil penalty on a manufacturer for violation of these requirements. The measure does not specify if revenue from the civil penalty is required to be deposited into the General Fund. The measure takes effect January 1, 2024, but all substantive portions of the bill are operative January 1, 2027.

The estimated fiscal impact totals \$270,392 General Fund in the 2025-27 biennium. This includes one Program Analyst 3 position starting January 1, 2026 (0.75 FTE in the 2025-27 biennium) to implement the program, adopt rules, and perform compliance work. Total costs of this position are estimated at \$166,977 for personal services and \$18,065 for position-related services and supplies. Additional estimated costs include \$12,100 for legal

guidance; \$23,250 for toxicologist consultation; and \$50,000 for analytical chemistry laboratory work, and contracting with laboratories to test consumer products in the marketplace.

There is a minimal fiscal impact for Oregon Judicial Department.

This measure warrants a subsequent referral to the Joint Committee on Ways and Means for consideration of its impact on the state's General Fund.