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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-SECOND SESSION

H. F. No. **1292**

02/18/2021 Authored by Kotyza-Witthuhn

The bill was read for the first time and referred to the Committee on Commerce Finance and Policy

1.1 A bill for an act
1.2 relating to consumer protection; providing an enforcement mechanism for certain
1.3 unsafe consumer products; amending Minnesota Statutes 2020, sections 325F.171,
1.4 by adding a subdivision; 325F.176; proposing coding for new law in Minnesota
1.5 Statutes, chapter 325F.

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

1.7 Section 1. Minnesota Statutes 2020, section 325F.171, is amended by adding a subdivision
1.8 to read:

1.9 Subd. 5. **Enforcement.** This section may be enforced as provided under sections 325F.10
1.10 to 325F.12, 325F.14 to 325F.16, and 45.027, subdivisions 1, 1a, 2, 3, 4, 5, 5a, 5b, and 6.

1.11 Sec. 2. Minnesota Statutes 2020, section 325F.176, is amended to read:

1.12 **325F.176 DEFINITIONS.**

1.13 (a) For the purposes of sections 325F.176 to 325F.178, the following terms have the
1.14 meanings given them.

1.15 (b) "Child" means a person under eight years of age.

1.16 (c) "Children's product" means a product primarily designed or intended by a
1.17 manufacturer to be physically applied to or introduced into a child's body, including any
1.18 article used as a component of such a product and excluding a food, beverage, dietary
1.19 supplement, pharmaceutical product or biologic, children's toys that are covered by the
1.20 ASTM International F963 standard for Toy Safety, or a medical device as defined in the
1.21 federal Food, Drug, and Cosmetic Act, United States Code, title 21, section 321(h), as
1.22 amended through February 15, 2013.

2.1 (d) "Intentionally added chemical" means a chemical in a product that serves an intended
2.2 function in the product.

2.3 (e) This section may be enforced as provided under sections 325F.10 to 325F.12, 325F.14
2.4 to 325F.16, and 45.027, subdivisions 1, 1a, 2, 3, 4, 5, 5a, 5b, and 6.

2.5 Sec. 3. **[325F.179] ENFORCEMENT.**

2.6 Sections 325F.177 and 325F.178 may be enforced as provided under sections 325F.10
2.7 to 325F.12, 325F.14 to 325F.16, and 45.027, subdivisions 1, 1a, 2, 3, 4, 5, 5a, 5b, and 6.