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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-FOURTH SESSION

H. F. No. 654

02/13/2025 Authored by Zeleznikar, Heintzeman, Stier, Davis, Knudsen and others
The bill was read for the first time and referred to the Committee on Environment and Natural Resources Finance and Policy

A bill for an act

relating to environment; allowing the presence of perfluoroalkyl and polyfluoroalkyl substances in safety-related items and clothing used by juveniles operating all-terrain vehicles or dirt bikes; amending Minnesota Statutes 2024, section 116.943, subdivision 5.

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

Section 1. **TITLE.**

This act shall be known as the "Preserving Outdoor Youth Sports Act."

EFFECTIVE DATE. This section is effective the day following final enactment.

Sec. 2. Minnesota Statutes 2024, section 116.943, subdivision 5, is amended to read:

Subd. 5. **Prohibitions.** (a) Beginning January 1, 2025, a person may not sell, offer for sale, or distribute for sale in this state the following products if the product contains intentionally added PFAS:

(1) carpets or rugs;

(2) cleaning products;

(3) cookware;

(4) cosmetics;

(5) dental floss;

(6) fabric treatments;

(7) juvenile products, except as provided in paragraphs (e) and (f);

(8) menstruation products;

(9) textile furnishings;

(10) ski wax; or

(11) upholstered furniture.

(b) The commissioner may by rule identify additional products by category or use that may not be sold, offered for sale, or distributed for sale in this state if they contain intentionally added PFAS and designate effective dates. A prohibition adopted under this paragraph must be effective no earlier than January 1, 2025, and no later than January 1, 2032. The commissioner must prioritize the prohibition of the sale of product categories that, in the commissioner's judgment, are most likely to contaminate or harm the state's environment and natural resources if they contain intentionally added PFAS.

(c) Beginning January 1, 2032, a person may not sell, offer for sale, or distribute for sale in this state any product that contains intentionally added PFAS, unless the commissioner has determined by rule that the use of PFAS in the product is a currently unavoidable use. The commissioner may specify specific products or product categories for which the commissioner has determined the use of PFAS is a currently unavoidable use. The commissioner may not determine that the use of PFAS in a product is a currently unavoidable use if the product is listed in paragraph (a).

(d) The commissioner may not take action under paragraph (b) or (c) with respect to a pesticide, as defined under chapter 18B, a fertilizer, an agricultural liming material, a plant amendment, or a soil amendment as defined under chapter 18C, unless the commissioner of agriculture approves the action.

(e) A person is exempt from paragraph (a), clause (7), with respect to the following products, provided that the person complies with paragraph (f):

(1) an all-terrain vehicle, as defined in section 84.92, subdivision 8, that is designed and marketed as a juvenile product and intended to be operated according to section 84.9256;

(2) an off-highway motorcycle, as defined in section 84.787, subdivision 7, that is designed and marketed as a juvenile product and intended to be operated according to section 84.793;

(3) an internal component of a juvenile product under clause (1) or (2) that would not come into direct contact with the skin or mouth of an operator of those products during reasonably foreseeable use and abuse; and

(4) a helmet, boot, eye-protective device, or other accessory used to enhance the safety of an operator of a juvenile product under clause (1) or (2), as determined by the commissioner of natural resources.

(f) A person selling, offering for sale, or distributing for sale in this state a juvenile product described in paragraph (e), clauses (1) to (3), must prominently display on the product a nonremovable notice that reads: "This product contains intentionally added PFAS, substances that have been banned from juvenile products and other products because of their association with harmful health effects."

EFFECTIVE DATE. This section is effective the day following final enactment.