

As Introduced

131st General Assembly

Regular Session

2015-2016

S. B. No. 193

**Senators Skindell, Gardner
Cosponsors: Senators Tavares, Yuko, Hite**

A BILL

To amend section 3715.99 and to enact section
3715.522 of the Revised Code to prohibit the
sale of microbeads.

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BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That section 3715.99 be amended and section
3715.522 of the Revised Code be enacted to read as follows:

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Sec. 3715.522. (A) As used in this section:

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(1) "Microbeads" means micro-polymer particles, less than
five millimeters in diameter, that are made of synthetic or
semi-synthetic polymeric materials such as polyethylene,
polypropylene, polyethylene terephthalate, polymethyl
methacrylate, or a combination of such polymers.

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(2) "Personal care products" means consumer products
manufactured for use in personal hygiene and beautification,
including anti-bacterial soaps, hand soaps, bar soaps, liquid
soaps, body washes, lotions, moisturizers, facial and body
cleansers, facial masks, exfoliating facial scrubs, sunscreens,
acne treatment products, shampoos, conditioners, toothpastes,
shaving creams and gels, and foot care products.

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(B) No person, firm, partnership, association, limited liability company, or corporation shall knowingly sell or offer for sale at retail or wholesale in this state any cosmetics or personal care products containing microbeads. 19
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(C) The director of agriculture may adopt such rules in accordance with Chapter 119. of the Revised Code as the director considers necessary to implement this section. 23
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Sec. 3715.99. (A) Whoever violates sections 3715.13 to 3715.19, or 3715.38 of the Revised Code is guilty of a minor misdemeanor. 26
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(B) Whoever violates section 3715.22, 3715.25, 3715.27, or 3715.34 of the Revised Code is guilty of a misdemeanor of the fourth degree. 29
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(C) Whoever violates section 3715.23 or 3715.36 of the Revised Code is guilty of a misdemeanor of the second degree. 32
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(D) Whoever violates section 3715.52 or 3715.65 of the Revised Code is guilty of a misdemeanor of the fourth degree on a first offense; on each subsequent offense, the person is guilty of a misdemeanor of the second degree. 34
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(E) Whoever violates section 3715.521 of the Revised Code is guilty of a minor misdemeanor. A violation of that section occurs on a daily basis, not according to the number of times per day that an expired drug, baby food, or infant formula is sold, offered for sale, or delivered at retail or to the consumer. Each day of violation is a separate offense. 38
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(F) Whoever violates section 3715.522 of the Revised Code shall be subject to a civil fine of not more than one thousand dollars for each day during which the violation occurs. Each subsequent violation shall subject the offender to a civil fine 44
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<u>not to exceed two thousand five hundred dollars for each day in</u>	48
<u>which the violation occurs.</u>	49
Section 2. That existing section 3715.99 of the Revised	50
Code is hereby repealed.	51