

As Introduced

**130th General Assembly
Regular Session
2013-2014**

S. B. No. 304

Senator Skindell

Cosponsor: Senator Tavares

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To amend section 3715.99 and to enact section 1
3715.522 of the Revised Code to prohibit the sale 2
of microbeads. 3

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

Section 1. That section 3715.99 be amended and section 4
3715.522 of the Revised Code be enacted to read as follows: 5

Sec. 3715.522. (A) As used in this section: 6

(1) "Microbeads" means micro-polymer particles, less than 7
five millimeters in diameter, that are made of synthetic or 8
semi-synthetic polymeric materials such as polyethylene, 9
polypropylene, polyethylene terephthalate, polymethyl 10
methacrylate, or a combination of such polymers. 11

(2) "Personal care products" means consumer products 12
manufactured for use in personal hygiene and beautification, 13
including anti-bacterial soaps, hand soaps, bar soaps, liquid 14
soaps, body washes, lotions, moisturizers, facial and body 15
cleansers, facial masks, exfoliating facial scrubs, sunscreens, 16
acne treatment products, shampoos, conditioners, toothpastes, 17
shaving creams and gels, and foot care products. 18

(B) No person, firm, partnership, association, limited liability company, or corporation shall 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 not to exceed two thousand five hundred dollars for each day in 44
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which the violation occurs. 49

Section 2. That existing section 3715.99 of the Revised Code 50

is hereby repealed. 51