



Sen. Julie A. Morrison

**Filed: 5/13/2025**

10400HB2516sam001

LRB104 03583 BDA 25898 a

1 AMENDMENT TO HOUSE BILL 2516

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 2516 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The PFAS Reduction Act is amended by changing  
5 Section 5 and by adding Section 45 as follows:

6 (415 ILCS 170/5)

7 Sec. 5. Definitions. In this Act:

8 "Agency" means the Illinois Environmental Protection  
9 Agency.

10 "Class B firefighting foam" means foam designed to  
11 extinguish flammable liquid fires or prevent the ignition of  
12 flammable liquids.

13 "Cosmetics" means products that are:

14 (1) intended to be rubbed, poured, sprinkled, or  
15 sprayed on, introduced into, or otherwise applied to the  
16 human body or any part of the human body for the purpose of

1 cleansing, beautifying, promoting attractiveness, or  
2 altering the appearance; or

3 (2) intended for use as a component of any product  
4 described in paragraph (1).

5 "Cosmetics" includes soap.

6 "Dental floss" means a cord or cords of thin filaments  
7 used in interdental cleaning to remove debris and dental  
8 plaque from between teeth.

9 "Fire department" means the duly authorized fire  
10 protection organization of a unit of local government, a  
11 Regional Fire Protection Agency, a fire protection district,  
12 or a volunteer fire department.

13 "Intentionally added PFAS" means PFAS that are  
14 deliberately added during the manufacture of a product if the  
15 continued presence of the PFAS is desired in the final product  
16 or desired in one of the product's components to perform a  
17 specific function in the final product. "Intentionally added  
18 PFAS" does not include PFAS that are present in the product due  
19 to use of water containing PFAS if the manufacturer took no  
20 action that resulted in the PFAS being present in the water.

21 "Intimate apparel" means garments intended to be worn  
22 under clothes, usually with direct contact with skin.

23 "Intimate apparel" includes bras, boxers, briefs, shapewear,  
24 sleepwear, thermals, loungewear, socks, and stockings.

25 "Juvenile product" means a product designed or marketed  
26 for use by infants and children under 12 years of age.

1 "Juvenile product" includes a baby or toddler foam pillow,  
2 bassinet, bedside sleeper, booster seat, changing pad, child  
3 restraint system for use in a motor vehicle and aircraft,  
4 co-sleeper, crib mattress, highchair, highchair pad, infant  
5 bouncer, infant carrier, infant seat, infant sleep positioner,  
6 infant swing, infant travel bed, infant walker, nap cot,  
7 nursing pad, nursing pillow, play mat, playpen, play yard,  
8 polyurethane foam mat, pad, or pillow, portable foam nap mat,  
9 portable infant sleeper, portable hook-on chair, soft-sided  
10 portable crib, stroller, and toddler mattress. "Juvenile  
11 product" does not include: (1) a children's electronic  
12 product, including a personal computer, audio and video  
13 equipment, calculator, wireless phone, game console, handheld  
14 device incorporating a video screen, or any associated  
15 peripheral component, such as a mouse, keyboard, power supply  
16 unit, or power cord; (2) an adult mattress; or (3) an internal  
17 component of a product that does not come into direct contact  
18 with a child's skin or mouth during reasonably foreseeable use  
19 or abuse of the product.

20 "Local government" means a unit of local government or  
21 other special purpose district that provides firefighting  
22 services.

23 "Manufacturer" means a person that manufactures Class B  
24 firefighting foam and any agents of that person, including an  
25 importer, distributor, authorized servicer, factory branch, or  
26 distributor branch.

1       "Menstrual product" means a product used to collect  
2 menstruation and vaginal discharge, including tampons, pads,  
3 sponges, menstruation underwear, disks, and menstrual cups,  
4 whether disposable or reusable.

5       "Perfluoroalkyl substance or polyfluoroalkyl substance" or  
6 "PFAS" means a class of fluorinated organic chemicals  
7 containing at least one fully fluorinated carbon atom.

8       "Person" means any individual, partnership, association,  
9 public or private corporation, limited liability company, or  
10 any other type of legal or commercial entity, including, but  
11 not limited to, members, managers, partners, directors, or  
12 officers.

13       "Product" means an item that is manufactured, assembled,  
14 packaged, or otherwise prepared for sale to consumers,  
15 including, but not limited to, its product components, and  
16 that is sold or distributed for personal, residential,  
17 commercial, or industrial use. "Product" does not include:

18           (1) a prosthetic or orthotic device or any item that  
19 is a medical device or drug or that is otherwise used in a  
20 medical setting or in medical applications regulated by  
21 the United States Food and Drug Administration;

22           (2) packaging for the items described in paragraph  
23 (1); and

24           (3) products regulated by the Federal Insecticide,  
25 Fungicide, and Rodenticide Act.

26       "Testing" means calibration testing, conformance testing,

1 and fixed system testing.

2 (Source: P.A. 102-290, eff. 8-6-21.)

3 (415 ILCS 170/45 new)

4 Sec. 45. Other banned products; other civil penalties;  
5 enforcement.

6 (a) Beginning January 1, 2032, a person may not sell,  
7 offer for sale, or distribute for sale in this State the  
8 following products if the product contains intentionally added  
9 PFAS:

10 (1) cosmetics;

11 (2) dental floss;

12 (3) juvenile products;

13 (4) menstrual products; or

14 (5) intimate apparel.

15 (b) Subsection (a) of this Section does not apply to:

16 (1) a product for which federal law governs the  
17 presence in the product of a perfluoroalkyl substance or  
18 polyfluoroalkyl substance in a manner that preempts State  
19 authority;

20 (2) used products offered for sale or resale;

21 (3) an electronic or internal component of a product;

22 or

23 (4) refrigerants, foams, and aerosol propellants that  
24 are listed as acceptable, acceptable subject to use  
25 conditions, or acceptable subject to narrowed use limits

1 by the United States Environmental Protection Agency  
2 pursuant to the Significant New Alternatives Policy  
3 Program, 40 CFR 82, Subpart G, as long as the refrigerant,  
4 foam, or aerosol propellant is sold, offered for sale, or  
5 distributed for sale for the use for which it is listed  
6 pursuant to that program, except to the extent the items  
7 described in this paragraph (4) are used in personal care  
8 products.

9 (c) By August 1, 2027, the Agency shall submit a report to  
10 the General Assembly that includes an assessment of statutory  
11 and regulatory authority, administrative infrastructure,  
12 research capabilities, and funding necessary to develop and  
13 implement a program for the review of fluoropolymers used in  
14 consumer products and their potential threat to human health  
15 and the environment. The report shall include an assessment of  
16 available scientific data regarding fluoropolymers, as well as  
17 an assessment of other State or federal statutory or  
18 regulatory actions taken regarding fluoropolymers. The report  
19 shall also include an assessment of potential critical uses of  
20 fluoropolymers and their relation to the supply chain. In this  
21 subsection, "fluoropolymers" means fluoropolymers consisting  
22 of polymeric substances for which the backbone of the polymer  
23 is either a perfluorinated or polyfluorinated carbon-only  
24 backbone or a perfluorinated polyether.

25 (d) A person, other than a manufacturer subject to Section  
26 35 of this Act, who knowingly violates this Section is subject

1 to a civil penalty not to exceed \$5,000 for the first violation  
2 and a civil penalty not to exceed \$10,000 for each subsequent  
3 violation. Civil penalties collected under this Section must  
4 be deposited into the Environmental Protection Trust Fund to  
5 be used in accordance with the provisions of the Environmental  
6 Protection Trust Fund Act.

7 (e) This Act and the civil penalties in this Act may be  
8 enforced by the Attorney General or the State's Attorney of  
9 the county where the violation occurs by bringing an action in  
10 the name of the People of the State of Illinois in a court of  
11 competent jurisdiction alleging a violation of this Act.  
12 Nothing in this Act shall be construed to limit the Attorney  
13 General or the State's Attorney of the county where the  
14 violation occurs from seeking equitable remedies or other  
15 remedies in common law, in State or federal statute, or in  
16 State or federal rules or regulations to enforce this Act or to  
17 remedy harm from any action or omission in violation of this  
18 Act or in violation of common law, State or federal statute, or  
19 State or federal rules or regulations.

20 Section 99. Effective date. This Act takes effect upon  
21 becoming law."