



Rep. Kelly M. Cassidy

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09800HB3166ham001

LRB098 10150 MGM 55728 a

1 AMENDMENT TO HOUSE BILL 3166

2 AMENDMENT NO. _____. Amend House Bill 3166 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Environmental Protection Act is amended by
5 adding Section 52.5 as follows:

6 (415 ILCS 5/52.5 new)

7 Sec. 52.5. Microbead-free waters.

8 (a) As used in this Section:

9 "Microbead" means any plastic component of a personal
10 cosmetic product measured to be 5 millimeters or less in
11 size.

12 "Personal cosmetic product" means any article intended
13 to be rubbed, poured, sprinkled, or sprayed on, introduced
14 into, or otherwise applied to the human body or any part
15 thereof for cleansing, beautifying, promoting
16 attractiveness, or altering the appearance, and any

1 article intended for use as a component of any such
2 article. "Personal cosmetic product" does not include any
3 product for which a prescription is required.

4 (b) The General Assembly hereby finds that microbeads, a
5 synthetic alternative ingredient to such natural materials as
6 ground almonds, oatmeal, and pumice, found in over 100 personal
7 cosmetic products, including facial cleansers, shampoos, and
8 toothpastes, pose a serious threat to the State's environment.
9 Microbeads have been documented to collect harmful pollutants
10 already present in the environment and harm fish and other
11 aquatic organisms that form the base of the aquatic food chain.
12 Recently, microbeads have been recorded in Illinois water
13 bodies, and in particular, the waters of Lake Michigan.
14 Research has suggested that the majority of these microbeads
15 are entering water bodies through disposal down household
16 drains following the use of such personal cosmetic products.
17 Without significant and costly improvements to the majority of
18 the State's sewage treatment facilities, microbeads contained
19 in personal cosmetic products will continue to pollute
20 Illinois' waters and hinder the ongoing efforts to restore the
21 State's lakes and rivers, recreational and commercial
22 fisheries, and recent substantial economic investments in
23 redeveloping Illinois' waterfronts.

24 (c) No person shall produce, manufacture, sell, or offer
25 for sale any personal cosmetic product that contains
26 intentionally-added microbeads.

1 (d) The Illinois Environmental Protection Agency may adopt
2 rules necessary to implement the provisions of this Section.

3 (e) Any violation of this Section is a business offense
4 punishable by a fine not to exceed \$2,500 for each day during
5 which the violation continues, and the person committing the
6 violation may be enjoined from continuing the violation. For a
7 second or subsequent violation, the fine may not exceed \$5,000
8 for each day during which the violation continues.

9 (f) The regulation of products containing microbeads under
10 this Section is an exclusive power and function of the State. A
11 home rule unit may not regulate the sale of products containing
12 microbeads. This Section is a denial and limitation of home
13 rule powers and functions under subsection (h) of Section 6 of
14 Article VII of the Illinois Constitution.

15 Section 99. Effective date. This Act takes effect December
16 31, 2015."