

February 2023 PFAS Legislative Developments February Legislation Tracking (Feb 1, 2023 – Feb 28, 2023)

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Current Trends in Legislation – February 2023

No Federal Bills Introduced in January

- **Federal Level**
- *Key point addressed: N/A.*

Water Quality

- States Involved: IL, MD, MN, NJ, NY
- Key point addressed: Testing and precautionary measures for clean water in public areas and drinking water.

Cosmetics

- States Involved: RI, CA
- Key point addressed: Packaging materials of products to become more environmentally conscience, including the prohibition of PFAs in packaging.

New Bills This Period

PFAS Legislation

Federal

- *No Federal Bills Introduced*

State

- 41 bills were introduced in February mentioning PFAS
 - AK- 1
 - CA – 4
 - IL – 10
 - KY- 1
 - ME – 5
 - MD- 2
 - MN – 6
 - NJ – 2
 - NY – 6
 - OR- 1
 - RI – 3
 - TN – 2
 - VT – 2
 - WA – 1
 - WI – 2

Signed into Law

No bills related to PFAs were signed into law in January 2023

Highlighted Bills – PFAS Legislation

Federal

State

State Bill: A52 (NJ)

- **Bill Name:** Allows certain municipal water systems, under certain circumstances, to use lands preserved for recreation and conservation for drinking water wells and associated treatment equipment or facilities
- **Sponsors:** Paul A. Schmid III
- **Introduced:** 2/23/2023
- **Status:**(2/23/2023) Introduced
- **Summary:** This bill would allow certain municipalities to use a well and associated water treatment facilities on lands acquired or developed for recreation or conservation purposes by a local government unit without the additional use being deemed to constitute a disposal or diversion of those lands requiring certain approvals as well as compensation or reimbursement to the State under various laws and regulations implementing the Green Acres Program, i.e., the State's program for the preservation of lands for recreation and conservation purposes.

State Bill: HF2005 (MN)

- **Bill Name:** Requiring the Clean Water Council to recommend appropriating money from the clean water fund.
- **Sponsors:** Lislegard
- **Introduced:** 2/20/2023
- **Status:**(2/20/2023) Introduced
- **Summary:**The Clean Water Council shall recommend to the governor and the legislature the manner in which money from the clean water fund should be appropriated to protect, enhance, and restore water quality in lakes, rivers, and streams and to protect groundwater from degradation and ensure that at least five percent of the clean water fund is spent only to protect drinking water sources..

State Bill: HB 2527 (IL)

- **Bill Name:** Extends the date that the Municipal Water and Wastewater Funding Study Committee is required to report its findings.
- **Sponsors:** Walsh
- **Introduced:** 2/15/2023
- **Status:**(2/15/2023) Introduced

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- **Summary:** A study is established to research and recommend any modifications necessary for Illinois' EPA to regulate municipal and wastewater management; funding shall target research involving PFAS, among other emerging contaminants.

State Bill: HB848 (MD)

- **Bill Name:** Drinking Water – Innovative Potable Reuse Pilot Program – Establishment.
- **Sponsors:** Rose
- **Introduced:** 2/9/2023
- **Status:**(2/9/2023) Introduced
- **Summary:** To establish Innovative Potable Reuse Pilot Program to regulate use of reclaimed water; reclaimed water meets requirements regarding maximum level of permissible PFAS levels.
- **Note:** Introduced as an “Emergency Bill”.

State Bill: S3582 (NJ)

- **Bill Name:** Requires DEP to study feasibility of using alternative water supply source when perfluoroalkyl or polyfluoroalkyl substances exceed maximum contaminant level.
- **Sponsors:** Linda Greenstein
- **Introduced:** 2/9/2023
- **Status:**(2/9/2023) Introduced
- **Summary:** Requires DEP to research use of alternative water supply sources when PFAS limits are exceeded. As part of the study, the department shall consider the drinking water supply sources available to public community water systems in the State and identify alternative drinking water supplies that may be available for use by public community water systems to provide water. In conducting the study, the department shall solicit input from representatives of public community water systems, academic institutions, and environmental organizations, and may hold public hearings, at a time and place determined by the department, to receive input on the issue.

State Bill: AB1423 (CA)

- **Bill Name:** An Act Relating to product safety
- **Sponsors:** Schiavo
- **Introduced:** 2/17/2023

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- **Status:**(2/17/2023) Introduced
 - **Summary:** Existing law, beginning January 1, 2025, prohibits the manufacture, sale, delivery, hold, or offer for sale in commerce of any cosmetic product that contains any intentionally added perfluoroalkyl and polyfluoroalkyl substances (PFAS). This bill would express the intent of the Legislature to enact subsequent legislation that would require notification of PFAS in specified products.

State Bill: HB3508 (IL)

- **Bill Name:** AN ACT concerning safety; PFAS Pathways Act
- **Sponsors:** Robyn Gabel
- **Introduced:** 2/17/2023
- **Status:**(2/17/2023) Introduced
- **Summary:** Amends the PFAS Reduction Act. Provides that the amendatory Act may be referred to as the PFAS Pathways Act. Contains legislative findings. Requires the Environmental Protection Agency to: (1) require select wastewater treatment plants' to report the results of analysis of raw influent sewage, treated sewage effluent, and sewage sludge residuals for PFAS; (2) produce and publish on the Agency's website a report on the eventual dispersion of PFAS through the treatment process; and (3) review the Agency's database of wastewater treatment plants, determine methods of processed sewage sludge disposal, and estimate the annual quantities of processed sewage sludge disposal on land, whether or not it is disposed of in-state or out-of-state.

State Bill: A4600 (NY)

- **Bill Name:** AN ACT to amend the environmental conservation law
- **Sponsors:** Deborah Glick
- **Introduced:** 2/17/2023
- **Status:**(2/17/2023) Introduced
- **Summary:** Beginning 6/1/2024, No person shall sell or offer for sale any cosmetic product or personal care product containing intentionally added PFAS substances.

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