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LC004293

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2024

A N A C T

RELATING TO HEALTH AND SAFETY -- MICROPLASTICS REDUCTION ACT

Introduced By: Senators Cano, DiMario, Euer, Lawson, Kallman, Valverde, Murray,
Lauria, Mack, and Quezada

Date Introduced: February 12, 2024

Referred To: Senate Environment & Agriculture

It is enacted by the General Assembly as follows:

1 SECTION 1. The general assembly hereby makes the following findings of fact:

2 (1) Microplastic pollution is a growing water quality concern for inland and coastal
3 waterbodies throughout the state, and globally;

4 (2) The Organization for Economic Cooperation and Development estimates that, left
5 unchecked, plastic production is expected to triple by 2060;

6 (3) Research from the University of Rhode Island finds there is now roughly one thousand
7 (1,000) tons of microplastic in the bottom sediment in Narragansett Bay, with the amount of
8 microplastic entering the Bay increasing in recent years;

9 (4) Microplastics are known to enter the body by way of direct contact, ingestion through
10 food and tap water, and inhalation;

11 (5) More information is needed to identify the sources of microplastics in the environment.

12 SECTION 2. Title 23 of the General Laws entitled "HEALTH AND SAFETY" is hereby
13 amended by adding thereto the following chapter:

14 CHAPTER 19.19

15 MICROPLASTICS REDUCTION ACT

16 23-19.19-1. Short title.

17 This chapter shall be known and may be cited as the "Microplastics Reduction Act".

18 23-19.19-2. Definitions.

19 As used in this chapter, the following words shall have the following meanings:

1 (1) "Intentionally added synthetic polymer microparticles" means synthetic polymer
2 microplastics that a manufacturer has added to a product to confer a sought-after characteristic, in
3 mixtures in a concentration equal to or greater than one one-hundredth percent (0.01%) by weight.

4 (2) "Manufacturer" means the person that manufactures a product or whose brand name is
5 affixed to the product. In the case of a product imported into the United States, "manufacturer"
6 includes the importer or first domestic distributor of the product if the person that manufactured or
7 assembled the product or whose brand name is affixed to the product does not have a presence in
8 the United States.

9 (3) "Microplastics" means synthetic polymer microparticles that have been added to a
10 product or is an intentional or unintentional breakdown product of a consumer or industrial product
11 or process.

12 (4) "Particle" means a minute piece of matter, other than single molecules, with defined
13 physical boundaries.

14 (5) "Plastic" means a polymer that is solid or semi-solid; the term "plastic" excludes
15 polymers that are the result of a polymerization process that has taken place in nature,
16 independently of the process through which they have been extracted, which are not chemically
17 modified substances.

18 (6) "Product" means an item manufactured, assembled, packaged or otherwise prepared for
19 sale to consumers, including its product components, sold or distributed for personal, residential,
20 commercial or industrial use, including for use in making other products. Product does not mean
21 used products offered for sale or resale.

22 (7) "Solid" means a substance or mixture other than a liquid or gas.

23 (8) "Synthetic polymer microparticles" means polymers that are solid and which fulfill both
24 of the following conditions:

25 (i) Are contained in particles and constitute at least one percent (1%) by weight of those
26 particles; or build a continuous surface coating on particles;

27 (ii) At least one percent (1%) by weight of the particles fulfill either of the following
28 conditions:

29 (A) All dimensions of the particles are equal to or less than five millimeters (5mm);

30 (B) The length of the particles is equal to or less than fifteen millimeters (15mm) and the
31 particle's length is greater than three (3) times the diameter;

32 (iii) "Synthetic polymer microparticles" does not include:

33 (A) Polymers that are the result of a polymerization process that has taken place in nature
34 and not as a result of human intervention, independently of the process through which they have

1 been extracted, which are not chemically modified substances.

2 **23-19.19-3. Elimination of microplastics.**

3 (a) Beginning January 1, 2028, a manufacturer shall not sell, offer for sale or distribute into
4 the commerce of this state any product containing intentionally added synthetic polymer
5 microparticles.

6 (b) The requirements in subsection (a) of this section shall not apply to products that are
7 preempted from regulation by federal law.

8 **23-19.19-4. Microplastics testing.**

9 (a) Beginning January 1, 2026, the department shall, in consultation with the department
10 of health, adopt a microplastics testing plan to regularly test water, soil and other environmental
11 media as appropriate for the presence of microplastics, including, but not limited to, microplastics
12 that have been shed from vehicle tires.

13 (1) The department shall use analytical methods that are consistent with the best available
14 science.

15 (2) The microplastics testing plan shall include results reported to the public no later than
16 July 1, 2027.

17 (b) No later than January 1, 2027, the department shall, in consultation with the department
18 of health, adopt a statewide microplastics strategy plan that shall include, but not be limited to, the
19 following:

20 (1) The characterization of ambient concentrations of microplastics in environmental
21 media and an assessment of the associated environmental and health impacts associated with
22 microplastic contamination;

23 (2) An investigation of the sources and relative importance of pathways associated with the
24 environmental impacts of microplastics determined to be significant pursuant subsection (b)(1) of
25 this section;

26 (3) Research on approaches for reducing the introduction of microplastics into
27 environmental media from significant pathways of exposure, with an emphasis on the sizes, shapes,
28 and types of microplastics that are associated with significant environmental impacts;

29 (4) Recommendations for policy changes, including statutory changes, or additional
30 research that may be needed to reduce or eliminate the presence of microplastics in environmental
31 media.

32 (c) In developing and implementing the statewide microplastics strategy, the department
33 may utilize existing information and leverage ongoing efforts, where possible.

34 **23-19.19-5. Rules and regulations.**

1 [The director is hereby authorized to promulgate rules and regulations as necessary to carry](#)
2 [out the provisions of this chapter.](#)

3 SECTION 3. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T
RELATING TO HEALTH AND SAFETY -- MICROPLASTICS REDUCTION ACT

1 This act would prohibit a manufacturer from selling, offering for sale, or distributing into
2 commerce any product containing synthetic polymer micro particles, beginning January 1, 2028,
3 would call for the adoption of microplastics testing plan of water, soil, and other environmental
4 media for the presence of microplastics and would adopt a statewide microplastics strategy plan.

5 This act would take effect upon passage.

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