

SECOND REGULAR SESSION

SENATE BILL NO. 1037

100TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR WALSH.

Read 1st time February 24, 2020, and ordered printed.

ADRIANE D. CROUSE, Secretary.

5541S.011

AN ACT

To amend chapter 407, RSMo, by adding thereto one new section relating to the sale of baby crib bumper pads, with penalty provisions and a delayed effective date.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Chapter 407, RSMo, is amended by adding thereto one new section, to be known as section 407.780, to read as follows:

407.780. 1. As used in this section, the following terms shall mean:

(1) "Children's product", a product including, but not limited to, a crib, toddler bed, bed, car seat, chair, high chair, booster chair, bath seat, gate or other enclosure for confining a child, play yard, stationary activity center, carrier, stroller, walker, swing, or toy or play equipment that is designed or intended for the care of or use by a child;

(2) "Commercial dealer", any person who deals in children's products or crib bumper pads or who otherwise by one's occupation holds oneself out as having knowledge or skill relating to children's products or crib bumper pads or any person who is in the business of remanufacturing, retrofitting, selling, leasing, subletting, or otherwise placing in the stream of commerce children's products or crib bumper pads;

(3) "Crib bumper pad", a pad or pads of nonmesh material including, but not limited to, a roll of stuffed fabric that is designed for placement within a crib to cushion one or more of the crib's inner sides adjacent to the crib mattress. Crib bumper pad shall not include mesh liners;

(4) "Distributor" or "wholesaler", any person other than a manufacturer or retailer who sells or resells or otherwise places into

22 the stream of commerce a children's product or crib bumper pad;

23 (5) "Importer", any person who brings into this country and
24 places into the stream of commerce a children's product or crib bumper
25 pad;

26 (6) "Manufacturer", any person who makes and places into the
27 stream of commerce a children's product or crib bumper pad;

28 (7) "Retailer", any person other than a manufacturer, distributor,
29 or wholesaler who sells, leases, or sublets children's products or crib
30 bumper pads.

31 2. No commercial dealer, distributor, wholesaler, importer,
32 manufacturer, or retailer shall sell, lease, offer for sale, or offer for
33 lease in the state any crib bumper pad as an accessory to a crib or as
34 a separate item.

35 3. Any violation of the provisions of this section shall result in
36 a penalty of not less than one hundred dollars nor more than five
37 hundred dollars for each offense.

Section B. The enactment of section 407.780 of this act shall become
2 effective on January 1, 2021.

Bill ✓

Copy