

Union Calendar No. 166

116TH CONGRESS
1ST SESSION

H. R. 2211

[Report No. 116–209]

To require the Consumer Product Safety Commission to promulgate a consumer product safety rule for free-standing clothing storage units to protect children from tip-over related death or injury, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 10, 2019

Ms. SCHAKOWSKY (for herself, Mr. McNERNEY, Mr. SOTO, and Mr. RUSH) introduced the following bill; which was referred to the Committee on Energy and Commerce

SEPTEMBER 16, 2019

Additional sponsors: Mr. O'HALLERAN, Mr. CÁRDENAS, Ms. CASTOR of Florida, Ms. NORTON, Mr. MCGOVERN, Ms. KELLY of Illinois, Mr. NEAL, Ms. DELBENE, Mr. DEFazio, Mrs. MURPHY, Miss RICE of New York, Ms. BARRAGÁN, Ms. CRAIG, Ms. BROWNLEY of California, Ms. DEGETTE, Mr. COHEN, Mrs. DINGELL, Ms. BLUNT ROCHESTER, Ms. UNDERWOOD, and Ms. LOFGREN

SEPTEMBER 16, 2019

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in italic]

[For text of introduced bill, see copy of bill as introduced on April 10, 2019]

A BILL

To require the Consumer Product Safety Commission to promulgate a consumer product safety rule for free-standing clothing storage units to protect children from tip-over related death or injury, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
 2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 *This Act may be cited as the “Stop Tip-overs of Unsta-*
 5 *ble, Risky Dressers on Youth Act” or the “STURDY Act”.*

6 **SEC. 2. CONSUMER PRODUCT SAFETY STANDARD TO PRO-**
 7 **TECT AGAINST TIP-OVER OF CLOTHING STOR-**
 8 **AGE UNITS.**

9 *(a) CLOTHING STORAGE UNIT DEFINED.—In this sec-*
 10 *tion, the term “clothing storage unit” means any free-stand-*
 11 *ing furniture item manufactured in the United States or*
 12 *imported for use in the United States that is intended for*
 13 *the storage of clothing, typical of bedroom furniture.*

14 *(b) CONSUMER PRODUCT SAFETY STANDARD RE-*
 15 *QUIRED.—*

16 *(1) IN GENERAL.—Except as provided in sub-*
 17 *section (c)(1), not later than 1 year after the date of*
 18 *the enactment of this Act, the Consumer Product Safe-*
 19 *ty Commission shall—*

20 *(A) in consultation with representatives of*
 21 *consumer groups, clothing storage unit manufac-*
 22 *turers, craft or handmade furniture manufactur-*
 23 *ers, and independent child product engineers and*
 24 *experts, examine and assess the effectiveness of*

1 *any voluntary consumer product safety stand-*
2 *ards for clothing storage units; and*

3 *(B) in accordance with section 553 of title*
4 *5, United States Code, promulgate a final con-*
5 *sumer product safety standard for clothing stor-*
6 *age units to protect children from tip-over-re-*
7 *lated death or injury that includes—*

8 *(i) tests that simulate the weight of*
9 *children up to 60 pounds;*

10 *(ii) objective, repeatable, and measur-*
11 *able tests that simulate real world use and*
12 *account for any impact on clothing storage*
13 *unit stability that may result from place-*
14 *ment on carpeted surfaces, drawers with*
15 *items in them, multiple open drawers, or*
16 *dynamic force;*

17 *(iii) testing of all clothing storage*
18 *units, including those under 30 inches in*
19 *height; and*

20 *(iv) warning requirements based on*
21 *ASTM F2057-17, or its successor at the*
22 *time of enactment, provided that the Con-*
23 *sumer Product Safety Commission shall*
24 *strengthen the requirements of ASTM*
25 *F2057-17, or its successor, if reasonably*

1 *necessary to protect children from tip-over-*
 2 *related death or injury.*

3 (2) *TREATMENT OF STANDARD.*—*A consumer*
 4 *product safety standard promulgated under para-*
 5 *graph (1) shall be treated as a consumer product safe-*
 6 *ty rule promulgated under section 9 of the Consumer*
 7 *Product Safety Act (15 U.S.C. 2058).*

8 (c) *SUBSEQUENT RULEMAKING.*—

9 (1) *IN GENERAL.*—*At any time subsequent to the*
 10 *publication of a consumer product safety standard*
 11 *under subsection (b)(1), the Commission may initiate*
 12 *a rulemaking, in accordance with section 553 of title*
 13 *5, United States Code to modify the requirements of*
 14 *the consumer product safety standard described in*
 15 *subsection (b)(1) if reasonably necessary to protect*
 16 *children from tip-over-related death or injury.*

17 (2) *REVISION OF RULE.*—*If, after the date of the*
 18 *enactment of this Act, the Centers for Disease Control*
 19 *and Prevention revises its Clinical Growth Charts,*
 20 *the consumer product safety standard described in*
 21 *subsection (b)(1) shall , on the date that is 180 days*
 22 *after such revision, be revised to include tests that*
 23 *simulate the weight of children up to the 95th per-*
 24 *centile weight of children 72 months in age, as de-*
 25 *picted in the revised Centers for Disease Control and*

1 *Prevention Clinical Growth Charts, unless the Com-*
2 *mission determines the modification is not reasonably*
3 *necessary to protect children from tip-over-related*
4 *death or injury.*

5 (3) *TREATMENT OF RULES.—Any rule promul-*
6 *gated under paragraph (1) or revision made pursuant*
7 *to paragraph (2) shall be treated as a consumer prod-*
8 *uct safety rule promulgated under section 9 of the*
9 *Consumer Product Safety Act (15 U.S.C. 2058).*

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