

SECOND REGULAR SESSION
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1271
100TH GENERAL ASSEMBLY

3233H.02C

DANA RADEMAN MILLER, Chief Clerk

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
2 known as section 407.780, to read as follows:

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

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

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

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

15 **(4) "Distributor" or "wholesaler", any person other than a manufacturer or**
16 **retailer who sells or resells or otherwise places into the stream of commerce a children's**
17 **product or crib bumper pad;**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

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

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

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

24 **2. No commercial dealer, distributor, wholesaler, importer, manufacturer, or**
25 **retailer shall sell, lease, offer for sale, or offer for lease in the state, either in a physical**
26 **location or through any electronic marketplace, any crib bumper pad as an accessory to**
27 **a crib or as a separate item.**

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

30 **4. Subject to appropriation, the department of health and senior services shall**
31 **create and distribute information about the provisions of this section to commercial**
32 **dealers, distributors, wholesalers, importers, manufacturers, and retailers.**

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

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