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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 2322 Session of  
2024

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INTRODUCED BY SHUSTERMAN, VENKAT, HILL-EVANS, FREEMAN, HADDOCK,  
SANCHEZ, NEILSON, PARKER, M. JONES AND CIRESI, MAY 24, 2024

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REFERRED TO COMMITTEE ON LABOR AND INDUSTRY, MAY 24, 2024

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AN ACT

1 Amending the act of May 27, 1937 (P.L.926, No.249), entitled "An  
2 act relating to the manufacture, repair, renovating,  
3 cleansing, sterilizing, and disinfecting of mattresses,  
4 pillows, bolsters, feather beds, and other filled bedding,  
5 cushions, upholstered furniture and bulk materials intended  
6 for use in such products intended for sale or lease, and to  
7 the sale or lease thereof; requiring the placing of tag and  
8 adhesive stamp on such material; providing for the sale of  
9 adhesive stamps; authorizing and requiring the Department of  
10 Labor and Industry to adopt rules and regulations; providing  
11 penalties; and repealing certain acts," further providing for  
12 definitions, for prohibited conduct, for cleansing and  
13 sterilization and disinfection process and for requiring the  
14 placing of tag and adhesive stamp on certain material.

15 The General Assembly of the Commonwealth of Pennsylvania  
16 hereby enacts as follows:

17 Section 1. Section 2(c) of the act of May 27, 1937 (P.L.926,  
18 No.249), referred to as the Bedding and Upholstery Law, is  
19 amended and the section is amended by adding subsections to  
20 read:

21 Section 2. \* \* \*

22 (c) The term "secondhand," as used in this act, shall mean  
23 any article or material, or portion thereof, of which prior use  
24 has been made in any manner whatsoever. The term does not

1 include recycled material.

2 \* \* \*

3 (h) The term "reclaimed," as used in this act, shall mean  
4 any material that would have otherwise been disposed of as waste  
5 and has been collected and reclaimed as material input, in lieu  
6 of new primary material, for recycling purposes.

7 (i) The term "recycled," as used in this act, shall mean any  
8 material that has been reprocessed from reclaimed material by  
9 means of a manufacturing process and made into a final product  
10 or a component for incorporation into a final product.

11 Section 2. Sections 3(a), 4(a), 5 and 7(b) and (e) of the  
12 act are amended to read:

13 Section 3. (a) No person shall manufacture, offer for sale  
14 or lease, or have in his possession with intent to sell,  
15 auction, or include in a sale, lease or auction, any new,  
16 recycled or secondhand article or material covered by this act,  
17 unless all provisions of this act have been complied with.

18 \* \* \*

19 Section 4. (a) No person shall use any secondhand or  
20 recycled material in the renovation of any article covered by  
21 this act, unless, since last used, such secondhand or recycled  
22 material has been effectively cleansed and sterilized or  
23 disinfected by a process approved by the department, and in  
24 accordance with the regulations of the department, and such  
25 article, if not so cleansed, sterilized or disinfected, shall be  
26 returned to its original owner, and shall not thereafter be  
27 offered for sale.

28 \* \* \*

29 Section 5. [(a)] No secondhand article covered by this act,  
30 except upholstered furniture, shall be offered for sale, lease,

1 or auction, or be in the possession of any person with intent to  
2 sell, lease, or auction, unless such article, since last used,  
3 has been effectively cleansed and sterilized or disinfected by a  
4 process approved by the department and in accordance with  
5 regulations of the department. Secondhand upholstered furniture  
6 and furniture upholstered with recycled material shall be so  
7 treated when required by the rules and regulations of the  
8 department.

9 Section 7. \* \* \*

10 (b) Every article covered by this act containing secondhand  
11 or recycled material, or a portion thereof, shall bear securely  
12 attached thereto and plainly visible a yellow tag of approved  
13 material upon which shall be indelibly stamped or printed, in  
14 the English language, the registration number of the  
15 manufacturer, vendor or renovator and a statement showing the  
16 kind of materials used in filling such article, with approximate  
17 percentages when mixed, and shall state STERILIZED AND  
18 DISINFECTED, with the permit number of the person who performed  
19 such work.

20 \* \* \*

21 (e) The size of the tag required by this section shall be  
22 not less than six (6) square inches, and the lettering thereon,  
23 covering the statement of filling materials and whether new,  
24 recycled or secondhand, shall be in plain type not less than  
25 one-eighth (1/8) inch in height.

26 Section 3. This act shall take effect in 60 days.