

116TH CONGRESS  
1ST SESSION

# S. 1902

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.

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## IN THE SENATE OF THE UNITED STATES

JUNE 19, 2019

Mr. CASEY (for himself, Ms. KLOBUCHAR, and Mr. BLUMENTHAL) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

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## 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 Un-  
5 stable, Risky Dressers on Youth Act” or the “STURDY  
6 Act”.

1 **SEC. 2. CONSUMER PRODUCT SAFETY STANDARD TO PRO-**  
2 **TECT AGAINST TIP-OVER OF FREE-STANDING**  
3 **CLOTHING STORAGE UNITS.**

4 (a) FREE-STANDING CLOTHING STORAGE UNIT DE-  
5 FINED.—

6 (1) IN GENERAL.—In this section, the term  
7 “free-standing clothing storage unit” means any  
8 piece of furniture manufactured in the United States  
9 or imported for use in the United States that is in-  
10 tended for the storage of clothing, including fur-  
11 niture items that—

12 (A) are commonly referred to as a chest,  
13 door chest, chest of drawers, dresser, or bureau;  
14 or

15 (B) may contain a chest, door chest, chest  
16 of drawers, dresser, or bureau.

17 (2) CPSC DEFINITION.—The Consumer Prod-  
18 uct Safety Commission may adjust the definition  
19 under paragraph (1) if the Commission determines  
20 that inclusion of additional furniture items is rea-  
21 sonably necessary to protect public health and safe-  
22 ty.

23 (b) CONSUMER PRODUCT SAFETY STANDARD RE-  
24 QUIRED.—

25 (1) IN GENERAL.—Except as provided in sub-  
26 section (c)(1), not later than 1 year after the date

1 of the enactment of this Act, the Consumer Product  
2 Safety Commission shall—

3 (A) in consultation with representatives of  
4 consumer groups, clothing storage unit manu-  
5 facturers, and independent child product engi-  
6 neers and experts, examine and assess the ef-  
7 fectiveness of any voluntary consumer product  
8 safety standards for free-standing clothing stor-  
9 age units; and

10 (B) in accordance with section 553 of title  
11 5, United States Code, promulgate a final con-  
12 sumer product safety standard for free-standing  
13 clothing storage units to protect children from  
14 tip-over-related death or injury that includes—

15 (i) tests that require the use of weight  
16 to simulate children up to 72 months of  
17 age using the most recent anthropometric  
18 data;

19 (ii) tests or testing that more closely  
20 simulate real world use including to ac-  
21 count for impact on clothing storage unit  
22 stability of carpeting, drawers with items  
23 in them, multiple open drawers, and dy-  
24 namic force;

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

(iv) warning requirements that—

(I) strengthen requirements for permanency and conspicuous placement now in ASTM F2057–17; and

(II) revise the message panel text of ASTM F2057–17 to make more understandable, consistent with typical clothing storage unit use, and written to motivate consumer compliance.

(2) TREATMENT OF STANDARD.—A consumer product safety standard promulgated under paragraph (1) shall be treated as a consumer product safety rule promulgated under section 9 of the Consumer Product Safety Act (15 U.S.C. 2058).

(c) SUBSEQUENT RULEMAKING.—

(1) IN GENERAL.—At any time subsequent to the publication of a consumer product safety standard under subsection (b)(1), the Consumer Product Safety Commission may initiate a rulemaking, in accordance with section 553 of title 5, United States Code—

1 (A) to modify the requirements of the con-  
2 sumer product safety standard described in sub-  
3 section (b)(1); or

4 (B) to include any additional provision in  
5 such consumer product safety standard that the  
6 Commission determines is reasonably necessary  
7 to protect public health or safety.

8 (2) TREATMENT OF RULES.—Any rule promul-  
9 gated under paragraph (1) shall be treated as a con-  
10 sumer product safety rule promulgated under section  
11 9 of the Consumer Product Safety Act (15 U.S.C.  
12 2058).

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