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HOUSE BILL NO. 2009

Offered January 14, 2009

Prefiled January 13, 2009

A *BILL to amend the Code of Virginia by adding in Title 59.1 a chapter numbered 50, consisting of sections numbered 59.1-550 through 59.1-553, relating to a ban on the sale or distribution of certain incandescent light bulbs; penalty.*

Patron—Ebbin

Referred to Committee on Commerce and Labor

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Title 59.1 a chapter numbered 50, consisting of sections numbered 59.1-550 through 59.1-553, as follows:

CHAPTER 50.**INCANDESCENT LIGHT BULBS.****§ 59.1-550. Definition.**

As used in this chapter, "general service incandescent light bulb" means a standard incandescent or halogen type light bulb, or lamp, that is intended for general service applications and has all of the following:

1. A medium screw base;
2. A wattage rating no less than 25 watts and no greater than 150 watts; and
3. A bulb finish of frosted, clear, or soft white type.

§ 59.1-551. Prohibition on sale of general service incandescent light bulbs.

Except as provided in § 59.1-552, a person may not sell or distribute in the Commonwealth any general service incandescent light bulb on or after July 1, 2010.

§ 59.1-552. Exceptions.

The provisions of § 59.1-551 shall not apply to:

1. Any appliance bulb, black light bulb, bug bulb, colored bulb, enhanced spectrum bulb, infrared bulb, left-hand tread bulb, marine bulb, marine signal service bulb, mine service bulb, plant bulb, reflector bulb, rough service, vibration resistant, or shatter resistant bulb, sign service bulb, three-way bulb, or traffic signal bulb; or

2. Any light bulb of a type that, by regulation adopted by the Board of Agriculture and Consumer Services, is exempted from the provisions of § 59.1-551, which regulation is based on a finding that compliance with § 59.1-551 would:

- a. Create a significant hardship on the user; or
- b. Be unreasonable because of the lack of an adequate substitute.

§ 59.1-553. Administration, enforcement and penalty.

A. The Board of Agriculture and Consumer Services shall adopt regulations to administer and enforce the provisions of this chapter. The Commissioner of Agriculture and Consumer Services or his authorized agent may seize any general service incandescent light bulb held for sale or distribution in violation of this chapter. The seized general service incandescent light bulbs shall be considered forfeited.

B. Any person who knowingly sells or distributes any general service incandescent light bulb in violation of the provisions of this chapter shall be guilty of a Class 1 misdemeanor.

2. That the provisions of this act shall become effective on July 1, 2010.

INTRODUCED

HB2009