

115TH CONGRESS
1ST SESSION

H. R. 4220

To adopt a certain California flammability standard as a Federal flammability standard to protect against the risk of upholstered furniture flammability and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 2, 2017

Mr. GRIFFITH introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To adopt a certain California flammability standard as a Federal flammability standard to protect against the risk of upholstered furniture flammability 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 “Safer Occupancy Fur-
5 niture Flammability Act” or “SOFFA”.

1 **SEC. 2. ADOPTION OF CALIFORNIA TECHNICAL BULLETIN**
2 **117 (2013) AS A FEDERAL FLAMMABILITY**
3 **STANDARD.**

4 (a) **IN GENERAL.**—Beginning 180 days after the date
5 of enactment of this Act, the provisions of State of Cali-
6 fornia, Bureau of Electronic and Appliance Repair, Home
7 Furnishings and Thermal Insulation Technical Bulletin
8 Number 117–2013, entitled “Requirements, Test Proce-
9 dure and Apparatus for Testing the Smolder Resistance
10 of Materials Used in Upholstered Furniture,” dated June
11 2013, as they exist on the date of enactment of this Act,
12 shall be considered to be a flammability standard issued
13 by the Commission under section 4 of the Flammable Fab-
14 rics Act (15 U.S.C. 1193).

15 (b) **TESTING AND CERTIFICATION.**—The Federal
16 flammability standard created by subsection (a) shall not
17 be subject to the requirements of section 14(a) of the Con-
18 sumer Product Safety Act (15 U.S.C. 2063(a)).

19 (c) **PREEMPTION.**—

20 (1) **IN GENERAL.**—Notwithstanding section 16
21 of the Flammable Fabrics Act and section 231 of
22 the Consumer Product Safety Improvement Act of
23 2008, Public Law 110–314, no State or political
24 subdivision of a State shall have any authority either
25 to establish or to continue in effect any provision of
26 a flammability law, regulation, code, or standard de-

1 signed to protect against the risk of occurrence of
2 fire associated with upholstered furniture.

3 (2) PRESERVATION OF CERTAIN STATE LAW.—
4 Nothing in this Act or the Flammable Fabrics Act
5 shall be construed to preempt or otherwise affect Ar-
6 ticle 13, Title 4, sections 1374 through 1374.3 of
7 the California Code of Regulations (except section
8 1374(b) and section 1374(c)) or the California Bu-
9 reau of Electronic and Appliance Repair, Home Fur-
10 nishings and Thermal Insulation Technical Bulletin
11 Number 117–2013, entitled “Requirements, Test
12 Procedure and Apparatus for Testing the Smolder
13 Resistance of Materials Used in Upholstered Fur-
14 niture” as they exist on the date of enactment of
15 this Act.

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