

117TH CONGRESS
1ST SESSION

S. 441

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.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 25, 2021

Mr. CASEY (for himself, Ms. KLOBUCHAR, Mr. BLUMENTHAL, Ms. CORTEZ MASTO, Mr. BOOKER, Ms. WARREN, Mr. MARKEY, Ms. SMITH, Mrs. SHAHEEN, Mr. DURBIN, Mrs. FEINSTEIN, Mr. COTTON, Ms. BALDWIN, Mr. VAN HOLLEN, and Mr. COONS) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

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 CLOTHING**
3 **STORAGE UNITS.**

4 (a) CLOTHING STORAGE UNIT DEFINED.—In this
5 section, the term “clothing storage unit” means any free-
6 standing furniture item manufactured in the United
7 States or imported for use in the United States that is
8 intended for the storage of clothing, typical of bedroom
9 furniture.

10 (b) CONSUMER PRODUCT SAFETY STANDARD RE-
11 QUIRED.—

12 (1) IN GENERAL.—Except as provided in sub-
13 section (c)(1), not later than 1 year after the date
14 of the enactment of this Act, the Consumer Product
15 Safety Commission shall—

16 (A) in consultation with representatives of
17 consumer groups, clothing storage unit manu-
18 facturers, craft or handmade furniture manu-
19 facturers, and independent child product engi-
20 neers and experts, examine and assess the ef-
21 fectiveness of any voluntary consumer product
22 safety standards for clothing storage units; and

23 (B) in accordance with section 553 of title
24 5, United States Code, promulgate a final con-
25 sumer product safety standard for clothing

1 storage units to protect children from tip-over-
2 related death or injury that includes—

3 (i) tests that simulate the weight of
4 children up to 60 pounds;

5 (ii) objective, repeatable, and measur-
6 able tests that simulate real world use and
7 account for any impact on clothing storage
8 unit stability that may result from place-
9 ment on carpeted surfaces, drawers with
10 items in them, multiple open drawers, or
11 dynamic force;

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

15 (iv) warning requirements based on
16 ASTM F2057–17, or its successor at the
17 time of enactment, provided that the Con-
18 sumer Product Safety Commission shall
19 strengthen the requirements of ASTM
20 F2057–17, or its successor, if reasonably
21 necessary to protect children from tip-over-
22 related death or injury.

23 (2) TREATMENT OF STANDARD.—A consumer
24 product safety standard promulgated under para-
25 graph (1) shall be treated as a consumer product

1 safety rule promulgated under section 9 of the Con-
2 sumer Product Safety Act (15 U.S.C. 2058).

3 (c) SUBSEQUENT RULEMAKING.—

4 (1) IN GENERAL.—At any time subsequent to
5 the publication of a consumer product safety stand-
6 ard under subsection (b)(1), the Commission may
7 initiate a rulemaking, in accordance with section 553
8 of title 5, United States Code to modify the require-
9 ments of the consumer product safety standard de-
10 scribed in subsection (b)(1) if reasonably necessary
11 to protect children from tip-over-related death or in-
12 jury.

13 (2) REVISION OF RULE.—If, after the date of
14 the enactment of this Act, the Centers for Disease
15 Control and Prevention revises its Clinical Growth
16 Charts, the consumer product safety standard de-
17 scribed in subsection (b)(1) shall, on the date that
18 is 180 days after such revision, be revised to include
19 tests that simulate the weight of children up to the
20 95th percentile weight of children 72 months in age,
21 as depicted in the revised Centers for Disease Con-
22 trol and Prevention Clinical Growth Charts, unless
23 the Commission determines the modification is not
24 reasonably necessary to protect children from tip-
25 over-related death or injury.

1 (3) TREATMENT OF RULES.—Any rule promul-
2 gated under paragraph (1) or revision made pursu-
3 ant to paragraph (2) shall be treated as a consumer
4 product safety rule promulgated under section 9 of
5 the Consumer Product Safety Act (15 U.S.C. 2058).

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