

104TH GENERAL ASSEMBLY**State of Illinois****2025 and 2026****HB2409**

Introduced 2/4/2025, by Rep. Michael J. Kelly

SYNOPSIS AS INTRODUCED:

415 ILCS 170/5
415 ILCS 170/20 new

Amends the PFAS Reduction Act. Provides that, beginning January 1, 2026, any person, firm, association, partnership, corporation, organization, joint venture, importer, or domestic distributor of firefighting agents or firefighting equipment that sells firefighting personal protective equipment containing PFAS chemicals to any person, local government, or State agency shall provide written notice to the purchaser at the time of sale which shall state: (i) that the firefighting personal protective equipment contains PFAS chemicals; and (ii) the reason PFAS chemicals are added to the equipment. Requires the seller and the purchaser of the equipment to retain a copy of the required notice on file for at least 3 years from the date of the purchase. Provides that, upon the request of the Agency, the seller shall furnish the notice, or written copies, and associated sales documentation to the Agency within 60 days of such request. Provides that, beginning January 1, 2027, a person that sells firefighting personal protective equipment to any person, local government, or State agency shall not manufacture, knowingly sell, offer for sale, distribute for sale, or distribute for use in the State any firefighting personal protective equipment containing intentionally added PFAS chemicals. Defines terms.

LRB104 11988 BDA 22082 b

1 AN ACT concerning safety.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The PFAS Reduction Act is amended by changing
5 Section 5 and by adding Section 20 as follows:

6 (415 ILCS 170/5)

7 Sec. 5. Definitions. In this Act, unless the context
8 otherwise requires:

9 "Agency" means the Illinois Environmental Protection
10 Agency.

11 "Class B firefighting foam" means foam designed to
12 extinguish flammable liquid fires or prevent the ignition of
13 flammable liquids.

14 "Fire department" means the duly authorized fire
15 protection organization of a unit of local government, a
16 Regional Fire Protection Agency, a fire protection district,
17 or a volunteer fire department.

18 "Firefighting personal protective equipment" or
19 "firefighting PPE" means any clothing designed, intended, or
20 marketed to be worn by firefighting personnel in the
21 performance of their duties, designed with the intent for the
22 use in fire and rescue activities, including jackets, pants,
23 shoes, gloves, helmets, and respiratory equipment.

1 "Local government" means a unit of local government or
2 other special purpose district that provides firefighting
3 services.

4 "Manufacturer" means a person that manufactures Class B
5 firefighting foam and any agents of that person, including an
6 importer, distributor, authorized servicer, factory branch, or
7 distributor branch.

8 "Perfluoroalkyl substance or polyfluoroalkyl substance" or
9 "PFAS" means a class of fluorinated organic chemicals
10 containing at least one fully fluorinated carbon atom.

11 "Person" means any individual, partnership, association,
12 public or private corporation, limited liability company, or
13 any other type of legal or commercial entity, including, but
14 not limited to, members, managers, partners, directors, or
15 officers.

16 "Testing" means calibration testing, conformance testing,
17 and fixed system testing.

18 (Source: P.A. 102-290, eff. 8-6-21.)

19 (415 ILCS 170/20 new)

20 Sec. 20. Notification for firefighting PPE sales.

21 (a) Beginning January 1, 2026, any person, firm,
22 association, partnership, corporation, organization, joint
23 venture, importer, or domestic distributor of firefighting
24 agents or firefighting equipment that sells firefighting
25 personal protective equipment containing PFAS chemicals to any

1 person, local government, or State agency shall provide
2 written notice to the purchaser at the time of sale which shall
3 state: (i) that the firefighting personal protective equipment
4 contains PFAS chemicals; and (ii) the reason PFAS chemicals
5 are added to the equipment. The seller and the purchaser shall
6 retain a copy of the notice required pursuant to this
7 subsection on file for at least 3 years from the date of the
8 purchase, and upon the request of the Agency, the seller shall
9 furnish the notice, or written copies, and associated sales
10 documentation to the Agency within 60 days of such request.

11 (b) Beginning January 1, 2027, a person that sells
12 firefighting personal protective equipment to any person,
13 local government, or State agency shall not manufacture,
14 knowingly sell, offer for sale, distribute for sale, or
15 distribute for use in the State any firefighting personal
16 protective equipment containing intentionally added PFAS
17 chemicals.