



# House of Representatives

General Assembly

**File No. 19**

February Session, 2016

House Bill No. 5139

*House of Representatives, March 10, 2016*

The Committee on Children reported through REP. URBAN of the 43rd Dist., Chairperson of the Committee on the part of the House, that the bill ought to pass.

***AN ACT CONCERNING THE USE OF RECYCLED TIRE RUBBER AT MUNICIPAL AND PUBLIC SCHOOL PLAYGROUNDS.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2016*) (a) For the purposes of  
2 this section, "crumb rubber" means any material that contains  
3 shredded or ground rubber recycled from motor vehicle tires.

4 (b) On and after October 1, 2016, no person shall install a crumb  
5 rubber ground cover within the boundaries of a municipal  
6 playground, as defined by subdivision (7) of subsection (a) of section  
7 22a-66m of the general statutes, or a playground located at a school  
8 under the jurisdiction of a local or regional board of education.

9 (c) The provisions of subsection (b) of this section shall not apply to  
10 an installation that is the subject of a contract entered into prior to  
11 October 1, 2016.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2016</i>	New section

**KID**      *Joint Favorable*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

**OFA Fiscal Note**

**State Impact:** None

**Municipal Impact:**

<b>Municipalities</b>	<b>Effect</b>	<b>FY 17 \$</b>	<b>FY 18 \$</b>
Various Municipalities	Cost	Potential	Potential

**Explanation**

The bill bans the installation of recycled tire rubber on municipal and school playgrounds after October 1, 2016. To the extent that a municipality uses recycled tire rubber on playgrounds, there is a potential cost if the municipality chooses a more expensive alternative.

The cost will vary based on: 1) the alternative product a municipality chooses, and 2) the amount of the chosen alternative product needed by the municipality.

**The Out Years**

The annualized ongoing fiscal impact identified above would continue into the future subject to changes in the cost of products municipalities use to replace recycled tire rubber.

**OLR Bill Analysis****HB 5139*****AN ACT CONCERNING THE USE OF RECYCLED TIRE RUBBER AT MUNICIPAL AND PUBLIC SCHOOL PLAYGROUNDS.*****SUMMARY:**

This bill prohibits, starting October 1, 2016, installing crumb rubber ground cover on municipal and public school playgrounds, unless a contract for such installation was entered into before that date.

Under the bill, “crumb rubber” is any material that contains shredded or ground rubber recycled from motor vehicle tires.

By law, a “municipal playground” is an outdoor area owned or controlled by any town, city, or borough, consolidated town and city or consolidated town and borough that is designated, dedicated, and customarily used by children for playing, including any such area that contains a swing set, slide, climbing structure, playset, or device or object upon which children play. Playgrounds on school premises (to which the bill’s prohibition also applies) are not considered municipal playgrounds.

The bill’s prohibition does not apply to fields or open spaces used primarily for sporting activities (athletic fields).

EFFECTIVE DATE: October 1, 2016

**BACKGROUND*****Federal Crumb Rubber Study***

The U.S. Environmental Protection Agency (EPA), the Centers for Disease Control and Prevention, the Agency for Toxic Substances and Disease Registry, and the U.S. Consumer Product Safety Commission are collaborating to address concerns about the safety of crumb rubber

used as ground cover for playing fields.

EPA says the agencies anticipate releasing a draft status report by the end of 2016 which will, among other things, summarize the agencies' progress in "conducting an initial evaluation of potential cancer and non-cancer toxicity" of the materials in crumb rubber.

**COMMITTEE ACTION**

Committee on Children

Joint Favorable

Yea 10 Nay 1 (02/25/2016)