.....

(Original Signature of Member)

119TH CONGRESS
2D SESSION

H. R. _____

To amend the Consumer Product Safety Act to strike provisions relating to the maximum civil penalties for violations of product safety standards.

IN THE HOUSE OF REPRESENTATIVES

Ms. SCHAKOWSKY introduced the following bill; which was referred to the Committee on _____

A BILL

To amend the Consumer Product Safety Act to strike provisions relating to the maximum civil penalties for violations of product safety standards.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Consumer Advocacy and Protection Act of 2026''.

SEC. 2. AMENDMENTS TO THE CONSUMER PRODUCT SAFETY ACT.

(a) CIVIL PENALTY CAP.—Section 20(a)(1) of the Consumer Product Safety Act (15 U.S.C. 2069(a)(1)) is amended—

(1) in the first sentence, by striking ''$100,000'' and inserting ''$250,000'';

(2) in the second sentence—

(A) by striking ''or (11)'' and inserting ''(11), (12), (15), or (16)''; and

(B) by striking '', except that the maximum civil penalty shall not exceed $15,000,000 for any related series of violations''; and

(3) in the third sentence by striking '', except that the maximum civil penalty shall not exceed $15,000,000 for any related series of violations''.

(b) ADJUSTMENT FOR INFLATION.—Section 20(a)(3) of the Consumer Product Safety Act (15 U.S.C. 2069(a)(3)) is amended—

(1) by striking subparagraph (B) and inserting the following:

''(B) Not later than one year after the date of enactment of this subparagraph, and not later than January 15 of every year thereafter, the Commission shall—

''(i) in accordance with subparagraph (C), determine the inflation adjusted maximum civil penalty for an individual violation; and

''(ii) publish each such inflation adjusted maximum civil penalty for an individual violation in the Federal Register.'';

(2) by striking subparagraph (C) and inserting the following:

''(C)(i) The Commission shall adjust civil penalties in accordance with this subparagraph and shall make such adjustment notwithstanding section 553 of title 5, United States Code.

''(ii) The inflation adjusted maximum civil penalty for the purposes of subparagraph (B) shall be determined by increasing the prior year maximum civil monetary penalty by the cost-of-living adjustment. Any increase determined under this subparagraph shall be rounded to the nearest multiple of $1.

''(iii) For purposes of this subparagraph—

''(I) the term 'cost-of-living adjustment' means the percentage (if any) by which—

''(aa) the Consumer Price Index for the month of October preceding the date of the adjustment; exceeds

''(bb) the Consumer Price Index for the month of October 1 one year before the month of October referred to in item (aa); and

''(II) the term 'Consumer Price Index' means the Consumer Price Index for all-urban consumers published by the Department of Labor.

''(iv) If the civil penalty subject to a cost-of-living adjustment is, during the 12 months preceding a required cost-of-living adjustment, increased by law by an amount greater than the amount of the adjustment required under subparagraph (B), the Commission is not required to make the cost-of-living adjustment otherwise required for that year.''; and

(3) by striking subparagraph (D).

(c) TECHNICAL AMENDMENT.—Section 20(c) of the Consumer Product Safety Act (15 U.S.C. 2069(c)) is amended, in the second sentence, by striking ''including, the'' and inserting ''including the''.

(d) TECHNICAL AMENDMENT.—Section 20(d) of the Consumer Product Safety Act (15 U.S.C. 2069(d)) is amended, in the first sentence, by striking ''man'' and inserting ''person''.