

HB 3447 -1 STAFF MEASURE SUMMARY

Senate Committee On Labor and Business

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Meeting Dates: 4/10, 4/15, 4/24

WHAT THE MEASURE DOES:

The measure requires a business or an employee of a business that makes retail sales of nitrous oxide canisters that an individual may directly inhale nitrous oxide from to verify that the individual is at least age 18 before selling or delivering the nitrous oxide canister. The measure specifies that if the retail sale of this type of nitrous oxide canister is made through an online ordering system for delivery to an individual in Oregon, the business making the retail sale may not complete the delivery unless the business, or the employee or agent of the business making the delivery, first obtains the signature of the recipient and verifies that the recipient is at least age 18. Applies to retail sales of nitrous oxide canisters made on or after January 1, 2026.

REVENUE: No revenue impact

FISCAL: Has minimal fiscal impact

ISSUES DISCUSSED:

- Purpose of the measure
- Prior legislation
- Age verification process
- Amount of online delivery sales
- Age restrictions for various intoxicants
- Appropriate age to regulate this product

EFFECT OF AMENDMENT:

-1 Raises prohibition on a business, or an employee of a business, that makes retail sales of nitrous oxide canisters that an individual may directly inhale nitrous oxide from selling or delivering these canisters to an individual under age 18 to an individual under age 21. Makes conforming amendments.

REVENUE: No revenue impact

FISCAL: Has minimal fiscal impact

BACKGROUND:

Nitrous oxide (N₂O), commonly known as laughing gas, is a type of short-acting sedative. It is a colorless, slightly sweet-smelling gas that you breathe in through a mask or nosepiece. Physicians and dentists have been using nitrous oxide since the mid-19th century. It is still one of the most common inhaled sedatives used today. It is fast-acting and wears off quickly. It has several uses in the automotive industry and the culinary industry that make it available to purchase over the counter.

In 2017, the Legislative Assembly enacted House Bill 3030, which prohibits businesses that make retail sales of nitrous oxide canisters from which an individual may directly inhale nitrous oxide from selling or delivering nitrous oxide canisters to an individual under age 18.

House Bill 3447 requires a business or an employee of a business that makes retail sales of nitrous oxide canisters that an individual may directly inhale nitrous oxide from to verify that the individual is at least age 18 before selling or delivering the nitrous oxide canister. HB 3447 also requires that a business that makes retail sales of these types of nitrous oxide canisters through an online ordering system obtain a signature and verify the age of the recipient before completing the delivery of the nitrous oxide canister.