

A-Engrossed Senate Bill 1032

Ordered by the Senate April 18
Including Senate Amendments dated April 18

Sponsored by Senators REYNOLDS, WEBER, Representative JAVADI; Senators MEEK, PHAM K, SMITH DB, Representative ISADORE (at the request of Ray Thomas, Kim Braasch)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure. The statement includes a measure digest written in compliance with applicable readability standards.

Digest: The Act says that an entity may not sell an aerosol duster that contains DFE to a person who is under 18 years old. (Flesch Readability Score: 66.1).

[Digest: The Act says that an entity may not sell an aerosol duster that has DFE in it to a person who is under 21 years old. (Flesch Readability Score: 69.8).]

Prohibits the retail sale of an aerosol duster that contains 1,1-Difluoroethane to an individual under [21] 18 years of age. **Allows the sale or delivery of an aerosol duster that contains 1,1-Difluoroethane through an order pick-up or delivery system if the recipient is at least 18 years of age.** Punishes a violation by a maximum of 30 days' imprisonment, \$1,250 fine, or both.

Requires an aerosol duster that contains 1,1-Difluoroethane to bear a warning label. Defines "1,1-Difluoroethane."

A BILL FOR AN ACT

Relating to aerosol dusters that contain 1,1-Difluoroethane.

Be It Enacted by the People of the State of Oregon:

SECTION 1. (1) As used in this section:

(a) **"Aerosol duster" means a product used to clean electronics and other items by means of an aerosol sprayed from a pressurized container.**

(b) **"1,1-Difluoroethane" or "DFE" means a colorless, odorless gas with the chemical formula C₂H₄F₂, often used as a refrigerant or propellant and that has a Chemical Abstract Service Registry Number of 75-37-6.**

(2) **An entity that makes retail sales of aerosol dusters that contain DFE may not sell an aerosol duster that contains DFE to an individual who is under 18 years of age.**

(3)(a) **Prior to selling or delivering an aerosol duster that contains DFE to an individual, an entity or employee of the entity shall require the individual to produce one of the following pieces of identification in order to verify that the individual is at least 18 years of age:**

(A) **A passport;**

(B) **A driver license, whether issued in this state or by another state;**

(C) **An identification card issued under ORS 807.400;**

(D) **An identification card issued by the United States military; or**

(E) **Any other identification card issued by a state that bears a picture of the individual, the name of the individual, the date of birth of the individual and a physical description of the individual.**

(b) **The piece of identification presented must establish that the individual is at least 18 years of age and accurately describe the individual.**

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 (4) An entity described in subsection (2) of this section:

2 (a) Shall maintain the entity's inventory of aerosol dusters that contain DFE in a lo-
3 cation that is not directly accessible to the public.

4 (b) May not sell or deliver more than three aerosol dusters containing DFE to an indi-
5 vidual in a single transaction.

6 (c) May sell or deliver an aerosol duster that contains DFE through an order pick-up or
7 delivery system, including through a third-party delivery platform. An entity that sells or
8 delivers an aerosol duster that contains DFE under this paragraph shall ensure that the in-
9 dividual who receives the aerosol duster through the order pick-up or delivery system is at
10 least 18 years of age.

11 (5) An aerosol duster that contains DFE may not be sold or delivered unless the aerosol
12 duster bears a label that:

13 (a) Includes, in a font size at least the same size as any other warning labels on the
14 aerosol duster:

15 (A)(i) The statement: "DANGER: DEATH! Breathing this product to get high can kill
16 you"; and

17 (ii) The poison control center phone number of 1-800-222-1222; or

18 (B) A statement substantially similar to the following:

19 (i) "Deliberate misuse by concentrating and inhaling the contents of this product can be
20 harmful or fatal"; or

21 (ii) "Intentional misuse by deliberately concentrating and inhaling the vapors from this
22 product can be harmful or fatal"; or

23 (b) Otherwise complies with the Federal Hazardous Substances Act, 15 U.S.C. 1261 et
24 seq., and regulations adopted under the Federal Hazardous Substances Act.

25 (6) Subsections (3) and (4) of this section do not apply to sales or deliveries of aerosol
26 dusters that contain DFE made to manufacturers, distributors, retailers, office wholesalers
27 or other business entities.

28 (7) Violation of this section is a Class C misdemeanor. It is an affirmative defense to a
29 charge of violating subsection (2) of this section that the defendant reasonably and in good
30 faith relied on a piece of identification described in subsection (3) of this section.

31 **SECTION 2.** (1) Section 1 of this 2025 Act applies to retail sales of aerosol dusters that
32 contain DFE, as defined in section 1 of this 2025 Act, made on or after January 1, 2026.

33 (2) The labeling requirements of section 1 of this 2025 Act apply to aerosol dusters con-
34 taining DFE that are manufactured on or after January 1, 2026.