

## Enrolled Senate Bill 1032

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

CHAPTER .....

### 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  $C_2H_4F_2$ , 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.

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

(a) Shall maintain the entity’s inventory of aerosol dusters that contain DFE in a location that is not directly accessible to the public.

(b) May not sell or deliver more than three aerosol dusters containing DFE to an individual in a single transaction.

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

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

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

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

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

(B) A statement substantially similar to the following:

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

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

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

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

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

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

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

Passed by Senate April 23, 2025

Received by Governor:

.....M.,....., 2025

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Obadiah Rutledge, Secretary of Senate

Approved:

.....M.,....., 2025

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Rob Wagner, President of Senate

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Tina Kotek, Governor

Passed by House May 20, 2025

Filed in Office of Secretary of State:

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Julie Fahey, Speaker of House

.....M.,....., 2025

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Tobias Read, Secretary of State