12/10/18 **REVISOR** XX/RC 19-0612 as introduced

## **SENATE** STATE OF MINNESOTA **NINETY-FIRST SESSION**

A bill for an act

relating to public safety; prohibiting the abuse of products containing DFE and

S.F. No. 240

(SENATE AUTHORS: CLAUSEN, Chamberlain, Hayden, Champion and Dziedzic) **OFFICIAL STATÚS** 

**DATE** 01/17/2019 **D-PG** 112

Introduction and first reading
Referred to Judiciary and Public Safety Finance and Policy
Author added Dziedzic

01/22/2019 142

1.1

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1.3 1.4	prohibiting the sale of those products to persons under the age of 21; requiring notice; amending Minnesota Statutes 2018, section 609.684.
1.5	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:
1.7	Section 1. Minnesota Statutes 2018, section 609.684, is amended to read:
1.6	Section 1. Willinesota Statutes 2016, Section 009.064, is afficilled to feat.
1.7	609.684 <u>SALES AND</u> ABUSE OF TOXIC SUBSTANCES <u>AND PRODUCTS</u>
1.8	CONTAINING DFE.
1.9	Subdivision 1. <b>Toxic substances.</b> For purposes of this section, "toxic substance" means:
1.10	(1) glue, cement, or aerosol paint containing toluene, benzene, xylene, amyl nitrate,
1.11	butyl nitrate, nitrous oxide, or containing other aromatic hydrocarbon solvents, but does
1.12	not include glue, cement, or paint contained in a packaged kit for the construction of a model
1.13	automobile, airplane, or similar item;
1.14	(2) butane or a butane lighter; or
1.15	(3) any similar substance declared to be toxic to the central nervous system and to have
1.16	a potential for abuse, by a rule adopted by the commissioner of health under chapter 14.
1.17	Subd. 2a. Sale of products containing DFE to persons under 21 years of age
1.18	<b>prohibited.</b> (a) A person is guilty of a petty misdemeanor who sells a product containing
1.19	1,1-difluoroethane (DFE) to a person under the age of 21.
1.20	(b) It is an affirmative defense to a charge under this subdivision if the defendant proves
1.21	by a preponderance of the evidence that the defendant reasonably and in good faith relied
1.22	on proof of age as described in section 340A.503, subdivision 6.

Section 1.

uses or possesses any toxic substance or any product containing with the intent of inducing intoxication, excitement, or stupefact system, except under the direction and supervision of a medical of a misdemeanor who intentionally aids another in violation of Subd. 4. Notice required. (a) A business establishment that toxic substance or any product containing 1,1-difluoroethane (I conspicuous sign that contains the following, or substantially sites "NOTICE"  It is a misdemeanor for a person to use or possess glue, cement, product containing 1,1-difluoroethane (DFE) with the intent of excitement, or stupefaction of the central nervous system. This use (b) A business establishment that offers for sale at retail any 1,1-difluoroethane (DFE) must display a conspicuous sign that substantially similar, language:  It is a petty misdemeanor for a person to sell a product containing to a person under the age of 21."  (c) A business establishment may omit from the required not (1) references to any toxic substance that is not offered for sestablishment; or  (2) the reference to products containing 1,1-difluoroethane (does not sell any of those products.  (e) (d) A business establishment that does not sell any toxic substance that is not offered for sestablishment; or	y of a misdemeanor who
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2.28 (b) into a single notice.	paragraph (a).
<del></del>	ibed in paragraphs (a) and
2.29 <b>EFFECTIVE DATE.</b> This section is effective August 1, 20	19, and applies to acts
2.30 <u>committed on or after that date.</u>	

Section 1. 2