

**SENATE
STATE OF MINNESOTA
NINETIETH SESSION**

S.F. No. 2658

(SENATE AUTHORS: CLAUSEN and Hall)

DATE
02/26/2018

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OFFICIAL STATUS
Introduction and first reading
Referred to Judiciary and Public Safety Finance and Policy

1.1 A bill for an act
1.2 relating to public safety; prohibiting the sale of products containing DFE to children;
1.3 requiring notice; amending Minnesota Statutes 2016, section 609.684, subdivision
1.4 4, by adding a subdivision.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. Minnesota Statutes 2016, section 609.684, is amended by adding a subdivision
1.7 to read:

1.8 Subd. 2a. Sale of products containing DFE to minors prohibited. (a) A person is
1.9 guilty of a petty misdemeanor who sells a product containing 1,1-difluoroethane (DFE) to
1.10 a person under the age of 18.

1.11 (b) It is an affirmative defense to a charge under this subdivision if the defendant proves
1.12 by a preponderance of the evidence that the defendant reasonably and in good faith relied
1.13 on proof of age as described in section 340A.503, subdivision 6.

1.14 EFFECTIVE DATE. This section is effective August 1, 2018, and applies to acts
1.15 committed on or after that date.

1.16 Sec. 2. Minnesota Statutes 2016, section 609.684, subdivision 4, is amended to read:

1.17 Subd. 4. **Notice required.** (a) A business establishment that offers for sale at retail any
1.18 toxic substance must display a conspicuous sign that contains the following, or substantially
1.19 similar, language:

2.1 "NOTICE

2.2 It is a misdemeanor for a person to use or possess glue, cement, aerosol paint, with the intent
2.3 of inducing intoxication, excitement, or stupefaction of the central nervous system. This
2.4 use can be harmful or fatal."

2.5 (b) A business establishment that offers for sale at retail any product containing
2.6 1,1-difluoroethane (DFE) must display a conspicuous sign that contains the following, or
2.7 substantially similar, language:

2.8 "NOTICE

2.9 It is a petty misdemeanor for a person to sell a product containing 1,1-difluoroethane (DFE)
2.10 to a person under the age of 18."

2.11 (c) A business establishment may omit from the required notice in paragraph (a)
2.12 references to any toxic substance that is not offered for sale by that business establishment.

2.13 (e) ~~(d)~~ A business establishment that does not sell any toxic substance listed in subdivision
2.14 1 other than butane or butane lighters is not required to post a notice under paragraph (a).

2.15 EFFECTIVE DATE. This section is effective August 1, 2018, and applies to acts
2.16 committed on or after that date.