

FIRST ENGROSSMENT

ENGROSSED SENATE BILL NO. 2195

Introduced by

Senator Lee

1 A BILL for an Act to create and enact a new section to chapter 19-21 of the North Dakota
2 Century Code, relating to requirements for selling aerosol dusters containing difluoroethane; to
3 amend and reenact subsection 2 of section 19-03.1-22.1 of the North Dakota Century Code,
4 relating to the classification of difluoroethane as a volatile chemical; and to provide a penalty.

5 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

6 **SECTION 1. AMENDMENT.** Subsection 2 of section 19-03.1-22.1 of the North Dakota
7 Century Code is amended and reenacted as follows:

8 2. This section does not apply to inhalations specifically prescribed for medical, dental, or
9 optometric treatment purposes or to controlled substances described in this chapter.

10 For the purposes of this section, "volatile chemical" includes the following chemicals or
11 their isomers:

- 12 a. Acetone.
- 13 b. Aliphatic hydrocarbons.
- 14 c. Amyl nitrite.
- 15 d. Butane.
- 16 e. Butyl nitrite.
- 17 f. Carbon tetrachloride.
- 18 g. Chlorinated hydrocarbons.
- 19 h. Chlorofluorocarbons.
- 20 i. Chloroform.
- 21 j. Cyclohexane.
- 22 k. Diethyl ether.

- 1 l. Difluoroethane.
- 2 m. Ethyl acetate.
- 3 ~~m-n.~~ Fluorocarbon.
- 4 ~~n-o.~~ Glycol ether inter solvent.
- 5 ~~o-p.~~ Glycol ether solvent.
- 6 ~~p-q.~~ Hexane.
- 7 ~~q-r.~~ Ketone solvent.
- 8 ~~r-s.~~ Methanol.
- 9 ~~s-t.~~ Methyl cellosolve acetate.
- 10 ~~t-u.~~ Methyl ethyl ketone.
- 11 ~~u-v.~~ Methyl isobutyl ketone.
- 12 ~~v-w.~~ Nitrous oxide.
- 13 ~~w-x.~~ Petroleum distillate.
- 14 ~~x-y.~~ Toluene.
- 15 ~~y-z.~~ Trichloroethane.
- 16 ~~z-aa.~~ Trichloroethylene.
- 17 ~~aa-bb.~~ Xylol or xylene.

18 **SECTION 2.** A new section to chapter 19-21 of the North Dakota Century Code is created
19 and enacted as follows:

20 **Difluoroethane - Requirements for retail sale - Labeling.**

21 1. For purposes of this section:

- 22 a. "Aerosol duster" means a product containing an aerosol propellant that may be
23 used to clean electronics.
- 24 b. "Behind the counter" means a product placed behind a counter or other barrier,
25 or in a locked cabinet, where a purchaser does not have direct access before
26 sale.
- 27 c. "Proof of age" means a document issued by a governmental agency which
28 contains a description of the individual or a photograph of the individual, or both,
29 and gives the individual's date of birth. The term includes a passport, military
30 identification card, or driver's license.

31 2. A retailer may sell an aerosol duster that contains 1,1-difluoroethane only:

- 1 a. From behind the counter;
- 2 b. To a purchaser verified to be at least twenty-one years of age, with proof of age;
- 3 and
- 4 c. In a quantity of no more than four cans in a single transaction.
- 5 3. The department shall adopt labeling requirements for products containing
- 6 1,1-difluoroethane to protect the health and safety of the public.