

2A:170-25.12

**LEGISLATIVE HISTORY CHECKLIST**  
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(Refrigerants--prohibit  
sale to minors)

**NJSA:** 2A:170-25.12

**LAWS OF:** 1993 **CHAPTER:** 70

**BILL NO:** S215

**SPONSOR(S)** Bennett

**DATE INTRODUCED:** Pre-filed

**COMMITTEE:** **ASSEMBLY:** Senior Citizens  
**SENATE:** Law & Public Safety

**AMENDED DURING PASSAGE:** No

**DATE OF PASSAGE:** **ASSEMBLY:** February 25, 1992  
**SENATE:** September 14, 1992

**DATE OF APPROVAL:** March 12, 1993

**FOLLOWING STATEMENTS ARE ATTACHED IF AVAILABLE:**

**SPONSOR STATEMENT:** Yes

**COMMITTEE STATEMENT:** **ASSEMBLY:** Yes

**SENATE:** Yes

**FISCAL NOTE:** No

**VETO MESSAGE:** No

**MESSAGE ON SIGNING:** No

**FOLLOWING WERE PRINTED:**

**REPORTS:** No

**HEARINGS:** No

See newspaper clipping--attached:

"No freon to minors," 3-13-93, Trenton Times.

"New law bars sale of freon," 3-13-93. Star Ledger.

KBG:pp

P.L.1993, CHAPTER 70, approved March 12, 1993

1992 Senate No. 215

1 AN ACT prohibiting the sale of certain refrigerants to minors and  
2 amending P.L.1965, c.41.

3

4 BE IT ENACTED by the Senate and General Assembly of the  
5 State of New Jersey:

6 1. Section 4 of P.L.1965, c.41 (C.2A:170-25.12) is amended to  
7 read as follows:

8 4. a. No person shall sell, or offer to sell, to any other person  
9 any container of any substance containing any chemical material  
10 having the property of releasing toxic vapors or fumes, [(a)] (1) if  
11 he has reasonable cause to suspect that the product sold, or  
12 offered for sale, will be used for the purpose set forth in section  
13 2 of this act; or [(b)] (2) which does not include an additive  
14 approved or designated by the Commissioner of the State  
15 Department of Health; and the term "additive" shall mean any  
16 element or compound approved or designated by the  
17 Commissioner of the State Department of Health for use as a  
18 safe and effective ingredient of substances containing any  
19 chemical material having the property of releasing toxic vapors  
20 or fumes for the purpose of discouraging the intentional smelling  
21 or inhaling the fumes of such substances. This act shall not apply  
22 to adhesives manufactured only for industrial consumption.

23 b. Notwithstanding the provisions of subsection a. of this  
24 section, no person shall sell or offer to sell to a person under 1<sup>o</sup>  
25 years of age any product containing chlorofluorocarbon or  
26 hydrochlorofluorocarbon that is used as a refrigerant.

27 (cf: P.L.1971, c.364, s.1)

28 2. This act shall take effect immediately.

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33 Prohibits sale of certain refrigerants to minors.

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in the  
above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

SENATE, No. 215  
STATE OF NEW JERSEY

Introduced Pending Technical Review by Legislative Counsel

PRE-FILED FOR INTRODUCTION IN THE 1992 SESSION

By Senator BENNETT

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17 Commissioner of the State Department of Health for use as a  
18 safe and effective ingredient of substances containing any  
19 chemical material having the property of releasing toxic vapors  
20 or fumes for the purpose of discouraging the intentional smelling  
21 or inhaling the fumes of such substances. This act shall not apply  
22 to adhesives manufactured only for industrial consumption.

23 b. Notwithstanding the provisions of subsection a. of this  
24 section, no person shall sell or offer to sell to a person under 18  
25 years of age any product containing chlorofluorocarbon or  
26 hydrochlorofluorocarbon that is used as a refrigerant.

27 (cf: P.L.1971, c.364, s.1)

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STATEMENT

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31 A number of juveniles have died or suffered brain damage by  
32 inhaling volatile refrigerants which are sold under such trade  
33 names as "Freon." This bill is intended to reduce the incidence  
34 of such accidents by prohibiting the sale of these products to  
35 persons under 18 years of age. A person who violates the  
36 provisions of this bill would be charged as a disorderly person and  
37 subject to a fine of up to \$1,000 and a jail sentence of up to six  
38 months.

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41

42 Prohibits sale of certain refrigerants to minors.

EXPLANATION--Matter enclosed in bold-faced brackets [thus] in the  
above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

ASSEMBLY SENIOR CITIZENS AND  
SOCIAL SERVICES COMMITTEE

STATEMENT TO

SENATE, No. 215

STATE OF NEW JERSEY

DATED: JANUARY 25, 1993

The Assembly Senior Citizens and Social Services Committee favorably reports Senate Bill No. 215.

This bill amends current law to prohibit the sale of any product containing chlorofluorocarbon or hydrochlorofluorocarbon to persons under 18 years of age. These chemical compounds are used as refrigerants and may cause death or brain damage to juveniles who inhale the fumes for the purpose of "getting high." A person who violates this prohibition would be guilty of a disorderly persons offense and subject to a fine of up to \$1,000, a jail sentence of up to six months, or both.

Current law (N.J.S.A.2A:170-25.9 et seq.) already prohibits as a disorderly persons offense the intentional inhalation of toxic vapors or fumes from such products or substances as glue, cement, adhesive, paint remover or any product containing such chemical compounds as, for example, acetone, benzine, petroleum ether or ethyl alcohol. This prohibition applies to a person of any age. In addition, the law prohibits the sale of such products or substances if the seller has reasonable cause to suspect that it will be used for inhaling the vapors or fumes or if it does not contain an additive approved by the Department of Health to discourage intentional inhalation.

SENATE LAW AND PUBLIC SAFETY COMMITTEE

STATEMENT TO

SENATE, No. 215

STATE OF NEW JERSEY

DATED: MARCH 19, 1992

The Senate Law and Public Safety Committee favorably reports Senate Bill No. 215.

This bill amends current law to prohibit the sale of any product containing chlorofluorocarbon or hydrochlorofluorocarbon to persons under 18 years of age. These chemical compounds are used as refrigerants and may cause death or brain damage to juveniles who inhale the fumes for the purpose of "getting high." A person who violates this prohibition would be guilty of a disorderly persons offense and subject to a fine of up to \$1,000, a jail sentence of up to six months, or both.

Current law (N.J.S.A.2A:170-25.9 et seq.) already prohibits as a disorderly persons offense the intentional inhalation of toxic vapors or fumes from such products or substances as glue, cement paint remover or any product containing such chemical compounds as, for example, acetone, benzine, petroleum ether or ethyl alcohol. This prohibition applies to a person of any age. In addition, the law prohibits the sale of such products or substances if the seller has reasonable cause to suspect that it will be used for inhaling the vapors or fumes or if it does not contain an additive approved by the Department of Health to discourage intentional inhalation.

This bill was introduced in the 1992 legislative session pending technical review. As reported, the bill includes the changes required by technical review which has been performed.