STATE OF NEW YORK

582

2023-2024 Regular Sessions

IN SENATE

January 5, 2023

Introduced by Sen. HOYLMAN -- read twice and ordered printed, and when printed to be committed to the Committee on Consumer Protection

AN ACT to amend the general business law, in relation to prohibiting the sale of sodium nitrate and sodium nitrite to any person under the age of twenty-one

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. The general business law is amended by adding a new section 399-hhh to read as follows:

§ 399-hhh. Sale of sodium nitrate and sodium nitrite. 1. No person, corporation, partnership, limited liability company, firm or any other business entity doing business within this state shall sell or offer for sale sodium nitrate or sodium nitrite to any person under the age of twenty-one.

2. Any person, corporation, partnership, limited liability company, firm, or any other business entity doing business within the state selling, offering for sale, or distributing sodium nitrate or sodium nitrite shall require proof of legal age prior to allowing an individual to purchase or receive a shipment of sodium nitrate or sodium nitrite. Such identification need not be required of any individual who reasonably appears to be at least thirty years of age, provided, however, that such appearance shall not constitute a defense in any proceeding alleging the sale or distribution of sodium nitrate or sodium nitrite to an individual under twenty-one years of age.

3. Any person, corporation, partnership, limited liability company, firm or any other business entity that violates the provisions of this section shall be subject to a civil penalty of not more than two hundred fifty dollars for an initial offense and not more than five hundred dollars for the second and each subsequent offense, provided this section shall not be construed to limit any other criminal or civil liability such person, corporation, partnership, limited liability company, firm or other business entity may be subject to under law.

§ 2. This act shall take effect on the thirtieth day after it shall have become a law.

EXPLANATION--Matter in *italics* (underscored) is new; matter in brackets [-] is old law to be omitted.

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