

[First Reprint]

ASSEMBLY, No. 3874

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED MARCH 23, 2020

Sponsored by:

Assemblywoman YVONNE LOPEZ

District 19 (Middlesex)

Assemblywoman VALERIE VAINIERI HUTTLE

District 37 (Bergen)

SYNOPSIS

Prohibits sale of paint or coating removal products that contain methylene chloride unless purchaser meets certain safety standards for use.

CURRENT VERSION OF TEXT

As reported by the Assembly Environment and Solid Waste Committee on January 27, 2021, with amendments.



(Sponsorship Updated As Of: 7/30/2020)

1 AN ACT concerning paint and coating removal products that contain
2 methylene chloride and supplementing Title 24 of the Revised
3 Statutes.

4

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

7

8 1. a. A person shall not sell or offer for sale in the State any
9 paint or coating removal product that contains methylene chloride
10 (dichloromethane) except as provided in subsection b. of this
11 section.

12 b. A person may sell a paint or coating removal product that
13 contains methylene chloride (dichloromethane) to a person who can
14 demonstrate to the seller that the product will be used only by
15 persons with safety equipment, training on the use of that
16 equipment, and proper handling instructions for methylene chloride
17 consistent with the requirements of 29 C.F.R. **¹[s.1910.1051]**
18 s.1910.1052¹ .

19 c. A person who violates this section shall be liable to a civil
20 penalty of up to \$1,000 for each violation, to be collected in a
21 summary proceeding pursuant to the “Penalty Enforcement Law of
22 1999,” P.L.1999, c.274 (C.2A:58-10 et seq.). If the violation is of a
23 continuing nature, each day during which it continues shall
24 constitute a separate and distinct offense. The municipal court and
25 the Superior Court shall have jurisdiction to enforce the “Penalty
26 Enforcement Law of 1999.” The Department of Health or any local
27 health agency may institute a civil action for injunctive relief to
28 enforce this act and to prevent a violation of its provisions, and the
29 court may proceed in the action in a summary manner. Nothing in
30 this act shall be construed to impose liability on any news outlet
31 that accepts or publishes advertising for any product that would
32 otherwise be subject to the provisions of this section.

33

34 2. This act shall take effect one year after the date of
35 enactment.

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.

Matter enclosed in superscript numerals has been adopted as follows:

¹Assembly AEN committee amendments adopted January 27, 2021.