

REFERENCE TITLE: aerosol spray paints; storage; display

State of Arizona  
House of Representatives  
Forty-eighth Legislature  
Second Regular Session  
2008

## **HB 2832**

Introduced by  
Representatives Garcia M, Lopez, Senator Miranda: Representatives Alvarez,  
Campbell CL, Miranda B, Senators Garcia, Rios

AN ACT

AMENDING TITLE 13, CHAPTER 29, ARIZONA REVISED STATUTES, BY ADDING SECTION  
13-2928; RELATING TO AEROSOL SPRAY PAINTS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:  
2 Section 1. Title 13, chapter 29, Arizona Revised Statutes, is amended  
3 by adding section 13-2928, to read:  
4 13-2928. Unlawful storage and display of aerosol spray paint:  
5 applicability: classification  
6 A. NOTWITHSTANDING SECTION 13-3403, IT IS UNLAWFUL FOR A PERSON WHO  
7 OWNS, CONDUCTS, OPERATES OR MANAGES A BUSINESS WHERE AEROSOL SPRAY PAINT  
8 CONTAINERS ARE SOLD OR A PERSON WHO SELLS OR OFFERS FOR SALE AEROSOL SPRAY  
9 PAINT CONTAINERS TO STORE OR DISPLAY OR CAUSE TO BE STORED OR DISPLAYED  
10 AEROSOL SPRAY PAINT CONTAINERS IN AN AREA THAT IS ACCESSIBLE TO THE PUBLIC  
11 WITHOUT EMPLOYEE ASSISTANCE IN THE REGULAR COURSE OF BUSINESS PENDING LEGAL  
12 SALE OR DISPOSITION.  
13 B. THIS SECTION DOES NOT PRECLUDE THE STORAGE OR DISPLAY OF AEROSOL  
14 SPRAY PAINT CONTAINERS IN AN AREA THAT IS VIEWABLE BY THE PUBLIC IF THE  
15 CONTAINERS ARE NOT ACCESSIBLE TO THE PUBLIC WITHOUT EMPLOYEE ASSISTANCE.  
16 C. THIS SECTION APPLIES ONLY IN COUNTIES WITH A POPULATION OF MORE  
17 THAN FIVE HUNDRED THOUSAND PERSONS. THIS SECTION DOES NOT PROHIBIT CITIES OR  
18 TOWNS IN THOSE COUNTIES FROM ENACTING AND ENFORCING ORDINANCES TO PROHIBIT  
19 THE STORAGE OR DISPLAY OF AEROSOL SPRAY PAINT CONTAINERS THAT PROVIDE FOR A  
20 PUNISHMENT THAT IS AT LEAST AS STRINGENT AS THIS SECTION.  
21 D. A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A PETTY OFFENSE.