

RESOLUTION

WHEREAS, any official position of the City of Los Angeles with respect to legislation, rules, regulations or policies proposed to or pending before a local, state or federal governmental body or agency must have first been adopted in the form of a Resolution by the City Council; and

WHEREAS, the recreational misuse of nitrous oxide, commonly known as "whippits," has emerged as a significant public health and safety concern, particularly among young adults and youth, due to its potential for neurological damage and other severe health risks; and

WHEREAS, under Council File 24-1220, the City of Los Angeles is considering a local ordinance to prohibit tobacco and cannabis retailers in the City from selling, offering for sale, distributing or exposing for sale nitrous oxide products, with exemptions for medical, food service, automotive and industrial uses and for pre-packaged food products in which nitrous oxide is used solely as a propellant; and

WHEREAS, due to City of Los Angeles' irregular boundaries, a regional or Statewide approach could be more effective at preventing the unauthorized sale of nitrous oxide; and


WHEREAS, under existing California law, Penal Code 381c, it is unlawful to sell or distribute nitrous oxide receptacles to persons under 18 years of age, but this law has not been entirely effective in preventing such distribution; and


WHEREAS, Senate Bill 758 (Umberg) would prohibit the sale of nitrous oxide, as defined in Penal Code section 381c at retail locations, other than grocery stores or general retail merchandise stores with a grocery department; and

WHEREAS, additional categories of retailers, including *bona fide* restaurant and cooking supply stores, sell nitrous oxide canisters for legitimate food preparation purposes;

NOW, THEREFORE, BE IT RESOLVED that by adoption of this Resolution, the City of Los Angeles hereby includes in its 2025-26 State Legislative Program SUPPORT for SB 758 (Umberg), which would prohibit the sale of nitrous oxide, as defined in Penal Code section 381c at retail locations, other than grocery stores or general retail merchandise stores with a grocery department, IF AMENDED to include other limited categories of retailers who sell nitrous oxide canisters for legitimate food preparation purposes.

PRESENTED BY:   
BOB BLUMENFIELD  
Councilmember, 3rd District

PRESENTED BY:   
TIM McOSKER  
Councilmember, 15th District

SECONDED BY:   


APR 24 2026

ORIGINAL