



**California
Behavioral Health
Planning Council**

ADVOCACY • EVALUATION • INCLUSION

CHAIRPERSON
Tony Vartan

EXECUTIVE OFFICER
Jenny Bayardo

June 9, 2026

The Honorable Marc Berman, Chair
Assembly Committee on Business and Professions
1020 N Street, Suite 379
Sacramento, CA 95814

The Honorable Nick Schultz, Chair
Assembly Committee on Public Safety
1020 N Street, Suite 111
Sacramento, CA 95814

RE: Support for SB 936 – Nitrous oxide: sales.

ADDRESS
P.O. Box 997413
Sacramento, CA
95899-7413

PHONE
(916) 701-8211

FAX
(916) 319-8030

MS 2706

Dear Assemblymember Berman and Assemblymember Schultz:

On behalf of the California Behavioral Health Planning Council (CBHPC), I am writing to express our support for Senate Bill (AB) 936 (Blakespear).

As California's behavioral health planning council mandated in Public Law 102-321 to exist, we have a responsibility to advocate for persons with lived experience of serious mental illness. We also serve as an advisory body to the Department of Health Care Services and the Legislature on Behavioral Health policies and priorities, as outlined in Welfare and Institutions Code §§ 5771 and 5772. Our diverse membership includes individuals with lived experience of serious mental illness and substance use disorders, family members, parents of children with serious emotional disturbances, service providers, professionals, and representatives from state departments whose work intersects with California's behavioral health system. These perspectives inform and shape our policy recommendations.

SB 936 intends to prohibit the public retail sale of nitrous oxide (laughing gas or N₂O) tanks or canisters larger than the standard 8-gram size and provides limited exemptions for medical, dental, culinary, and automotive applications.

Despite warnings from the U.S. Food and Drug Administration advising consumers not to inhale nitrous oxide products from any size canisters,



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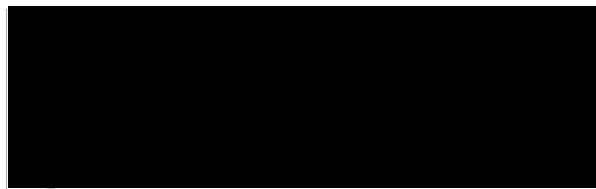
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tanks or chargers, its use has become increasingly popular, particularly among youth and young adults. In 2024, 3.7 percent of adolescents aged 12 to 17 reported inhalant use in the past year, including nitrous oxide¹. Although often conceptualized as harmless, improper, frequent or chronic long-term use can lead to serious health conditions such as impaired brain function, loss of motor control, or neurological damage. Additionally, research indicates that heavy nitrous oxide users may exhibit at least four substance use disorder criteria outlined in the *Diagnostic and Statistical Manual of Mental Disorders (DSM-5)*², underscoring its potential for dependence.

While nitrous oxide has become widely available through storefronts and online retailers, corresponding regulations have not expanded to address this growth in accessibility. SB 936 builds upon local efforts initiated by several local jurisdictions and would establish a statewide standard to regulate and restrict the retail sale of large nitrous oxide tanks. This initiative would help strengthen substance use prevention efforts by curtailing opportunities for misuse and reducing the risk of developing substance use disorders.

For these reasons, the Council proudly supports SB 936. If you have any questions, please contact Jenny Bayardo, Executive Officer, at (916) 750-3778 or via e-mail at Jenny.Bayardo@cbhpc.dhcs.ca.gov.

Sincerely,



Tony Vartan
Chairperson

cc: The Honorable Catherine Blakespear

¹ Substance Abuse and Mental Health Services Administration. *Key substance use and mental health indicators in the United States: Results from the 2024 National Survey on Drug Use and Health (2025)*. Retrieved from <https://www.samhsa.gov/data/sites/default/files/reports/rpt56287/2024-nsduh-annual-national/2024-nsduh-annual-national-html-071425-edited/2024-nsduh-annual-national.htm>

² Lynch, M. J., Anderson, N. E., & Ling, S. (2023). *Nitrous oxide misuse and neurological harm: A review of clinical cases and mechanisms*. *Addiction*, 118(12), 2241–2251. <https://pubmed.ncbi.nlm.nih.gov/37904333/>



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Honorable Members, Assembly Committee on Business and Professions
Honorable Members, Assembly Committee on Public Safety
Annika Olsen, Fellow
Samantha Samuelsen, Legislative Director