

SECOND REGULAR SESSION

HOUSE BILL NO. 1880

101ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE BLACK (7).

4377H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal sections 579.097 and 579.101, RSMo, and to enact in lieu thereof two new sections relating to the inhalation of substances, with penalty provisions.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Sections 579.097 and 579.101, RSMo, are repealed and two new sections
2 enacted in lieu thereof, to be known as sections 579.097 and 579.101, to read as follows:

579.097. No person shall intentionally smell or inhale the fumes, **gases, or vapors** of
2 any solvent, [~~particularly~~] **chemical, reagent, refrigerant, or other substance including,**
3 **but not limited to, difluoroethane, trifluoroethane, tetrafluoroethane,** toluol, amyl nitrite,
4 butyl nitrite, cyclohexyl nitrite, ethyl nitrite, pentyl nitrite, [~~and~~] **or propyl nitrite** and their
5 iso-analogues or induce any other person to do so, for the purpose of causing a condition of,
6 or inducing symptoms of, intoxication, elation, euphoria, dizziness, excitement, irrational
7 behavior, exhilaration, **hallucination,** paralysis, stupefaction, or dulling of senses or nervous
8 system, or for the purpose of, in any manner, changing, distorting, or disturbing the audio,
9 visual, or mental processes; except that this section shall not apply to the inhalation of any
10 anesthesia for medical or dental purposes.

579.101. 1. No person shall intentionally possess or buy any solvent, [~~particularly~~]
2 **chemical, reagent, refrigerant, or other substance including, but not limited to,**
3 **difluoroethane, trifluoroethane, tetrafluoroethane,** toluol, amyl nitrite, butyl nitrite,
4 cyclohexyl nitrite, ethyl nitrite, pentyl nitrite, [~~and~~] **or propyl nitrite** and their iso-analogues
5 for the purpose of inducing or aiding any other person to violate the provisions of sections
6 579.097 and 579.099.

EXPLANATION — Matter enclosed in bold-faced brackets [~~thus~~] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

7 2. Any person who violates any provision of sections 579.097 to 579.101 is guilty of
8 a:

9 (1) Class ~~[B]~~ **D** misdemeanor **and, if allowed by law, is punishable by participation**
10 **in a drug treatment program** for the first violation ~~[and a];~~

11 (2) Class ~~[E-felony]~~ **A misdemeanor for a second violation; and**

12 (3) **Class D felony for** any subsequent violations.

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