

SECOND REGULAR SESSION

HOUSE BILL NO. 1557

93RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES ROORDA (Sponsor), BOGETTO, YAEGER, LAMPE, WITTE, MEADOWS, MOORE, HARRIS (23), WILDBERGER, WRIGHT-JONES, JONES, PARSON, SCHAAF, OXFORD, CASEY, HARRIS (110), JACKSON, BOWMAN, STORCH, DARROUGH, JOLLY, JOHNSON (90), HUGHES, BRINGER, SCHOEMEHL, CORCORAN, SWINGER, SPRENG, SKAGGS, BAKER (25), ROBINSON, AULL, BROWN (50), CHAPPELLE-NADAL, EL-AMIN, SALVA, DAY, BRUNS, RUCKER, HENKE, DOUGHERTY, KUESSNER, WHORTON, BLAND, SHOEMYER, LeVOTA, MEINERS, YOUNG, BLACK, KRAUS, PEARCE, FLOOK, SATER, WAGNER, GEORGE, TILLEY, GEORGE, TILLEY, FISHER, KRATKY, JOHNSON (61), ZWEIFEL, WALSH, VILLA, BOYKINS, FAITH, WALLACE AND DENISON (Co-sponsors).

Read 1st time January 26, 2006 and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

3826L.01I

AN ACT

To repeal sections 578.250, 578.255, 578.260, and 578.265, RSMo, and to enact in lieu thereof four new sections relating to solvents, with penalty provisions.

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

Section A. Sections 578.250, 578.255, 578.260, and 578.265, RSMo, are repealed and
2 four new sections enacted in lieu thereof, to be known as sections 578.250, 578.255, 578.260,
3 and 578.265, to read as follows:

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

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.

578.255. 1. No person shall intentionally or willfully induce the symptoms of intoxication, elation, euphoria, dizziness, excitement, irrational behavior, exhilaration, paralysis, stupefaction, or dulling of the senses or nervous system, distortion of audio, visual or mental processes by the use of any solvent, particularly toluol, **amyl nitrite, butyl nitrite, cyclohexyl nitrite, ethyl nitrite, pentyl nitrite, and propyl nitrite and their iso-analogues.**

2. No person shall intentionally possess any solvent, particularly toluol, **amyl nitrite, butyl nitrite, cyclohexyl nitrite, ethyl nitrite, pentyl nitrite, and propyl nitrite and their iso-analogues** for the purpose of using it in the manner prohibited by section 578.250 and this section.

578.260. 1. No person shall intentionally possess or buy any solvent, particularly toluol, **amyl nitrite, butyl nitrite, cyclohexyl nitrite, ethyl nitrite, pentyl nitrite, and propyl nitrite and their iso-analogues** for the purpose of inducing or aiding any other person to violate the provisions of sections 578.250 and 578.255.

2. Any person who violates any provision of sections 578.250 to 578.260 is guilty of a class B misdemeanor **for the first conviction and a class D felony for any subsequent convictions.**

578.265. 1. No person shall knowingly and intentionally sell or otherwise transfer possession of any solvent, particularly toluol, **amyl nitrite, butyl nitrite, cyclohexyl nitrite, ethyl nitrite, pentyl nitrite, and propyl nitrite and their iso-analogues** to any person for the purpose of causing a condition of, or inducing symptoms of, intoxication, elation, euphoria, dizziness, excitement, irrational behavior, exhilaration, paralysis, stupefaction, or dulling of senses or nervous system, or for the purpose of, in any manner, changing, distorting, or disturbing the audio, visual, or mental processes. 2. No person who owns or operates any business which receives over fifty percent of its gross annual income from the sale of alcoholic beverages or beer shall sell or offer for sale toluol, **amyl nitrite, butyl nitrite, cyclohexyl nitrite, ethyl nitrite, pentyl nitrite, and propyl nitrite and their iso-analogues**, or any toxic glue.

3. No person who owns or operates any business which operates as a venue for live entertainment performance or receives over fifty percent of its gross annual income from the sale of recorded video entertainment shall sell or offer for sale toluol, **amyl nitrite, butyl nitrite, cyclohexyl nitrite, ethyl nitrite, pentyl nitrite, propyl nitrite or their iso-analogues.**

4. Any person who violates the provisions of subsection 1 or 2 of this section is guilty of a class C felony.

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