

SECOND REGULAR SESSION

# HOUSE BILL NO. 1176

## 93RD GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVES NOLTE (Sponsor), PHILLIPS, NANCE, FLOOK, WILSON (119),  
EMERY, ERVIN AND SILVEY (Co-sponsors).

Pre-filed December 21, 2005 and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

4021L.01I

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### AN ACT

To repeal section 578.255, RSMo, and to enact in lieu thereof one new section relating to prohibiting the possession, use or abuse of certain substances and devices.

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

Section A. Section 578.255, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 578.255, to read as follows:

578.255. 1. **As used in this section "alcohol beverage vaporizer" means any device which, by means of heat, a vibrating element, or any method, is capable of producing a breathable mixture containing one or more alcoholic beverages to be dispensed for inhalation into the lungs via the nose or mouth or both.**

2. 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 **or abuse** of any [solvent, particularly toluol.] **of the following substances:**

(1) **Solvents, particularly toluol;**

(2) **Ethyl alcohol.**

3. **This statute shall not apply to substances that have been approved by the United States Food and Drug Administration as therapeutic drug products or are contained in approved over-the-counter drug products or administered lawfully pursuant to the order of an authorized medical practitioner.**

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.

15           [2.] **4.** No person shall intentionally possess any solvent, particularly toluol, for the  
16 purpose of using it in the manner prohibited by section 578.250 and this section.

17           **5. No person shall possess or use an alcoholic beverage vaporizer.**

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