

FIRST REGULAR SESSION
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 700
101ST GENERAL ASSEMBLY

1410H.02C

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Section A. Sections 579.097 and 579.101, RSMo, are repealed and two new sections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, but**
3 **not limited to, difluoroethane, trifluoroethane, tetrafluoroethane,** toluol, amyl nitrite, butyl
4 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, or
6 inducing symptoms of, intoxication, elation, euphoria, dizziness, excitement, irrational behavior,
7 exhilaration, **hallucination**, paralysis, stupefaction, or dulling of senses or nervous system, or
8 for the purpose of, in any manner, changing, distorting, or disturbing the audio, visual, or mental
9 processes; except that this section shall not apply to the inhalation of any anesthesia for medical
10 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 for
5 the purpose of inducing or aiding any other person to violate the provisions of sections 579.097
6 and 579.099.

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

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.

- 8 (1) Class ~~[B]~~ **D** misdemeanor **and, if allowed by law, participation in a drug**
9 **treatment program** for the first violation ~~[and a]~~ ;
10 (2) Class ~~[E-felony]~~ **A misdemeanor** for a second violation; and
11 (3) **Class D felony** for any subsequent violations.

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