

HCS HB 700 -- INHALATION OF SUBSTANCES

SPONSOR: Black (7)

COMMITTEE ACTION: Voted "Do Pass with HCS" by the Standing Committee on Crime Prevention by a vote of 8 to 0. Voted "Do Pass" by the Standing Committee on Rules- Administrative Oversight by a vote of 8 to 3 with 1 voting present.

The following is a summary of the House Committee Substitute for HB 700.

This bill make changes to existing statute prohibiting a person from intentionally smelling or inhaling the fumes of a solvent for the purposes of inducing certain symptoms. The bill makes the same changes to the offense of possession of a solvent with the purpose of inducing or aiding a person to inhale the solvent.

The bill adds "inhaling the gases or vapors of a solvent" to the statute. The bill also adds "inhaling a chemical, reagent, refrigerant, or other substance to the statute". The bill adds "inhaling the fumes of a solvent for the purposes of causing hallucination".

The bill also amends the penalties for violations of these sections. Currently, the offense is a class B misdemeanor for a first violation and a class E felony for any subsequent violations. Under this bill, the first offense is a class D misdemeanor and a requirement that the person participate in a drug treatment program, if allowed by law, it is a class A misdemeanor for a second violation, and it is a class D felony for any subsequent violations.

The following is a summary of the public testimony from the committee hearing. The testimony was based on the introduced version of the bill.

PROPONENTS: Supporters say that this makes "sniffing/huffing" for hallucination an offense. Oftentimes, this is a gateway drug, so the intent is to get people the help they need before they progress to more serious drugs. The ultimate goal is to get to kids, whom this usually affects more frequently, and get them some help and off the street, even if it is only temporarily. It is not currently illegal to sniff or huff "Dust Off" or spray paint.

Testifying for the bill were Representative Black; Michael R. Leamer; and Arnie C. Dienoff.

OPPONENTS: There was no opposition voiced to the committee.

Written testimony has been submitted for this bill. The full written testimony can be found under Testimony on the bill page on the House website.