

SENATE BILL NO. 354

103RD GENERAL ASSEMBLY

INTRODUCED BY SENATOR BLACK.

0865S.01I

KRISTINA MARTIN, Secretary

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
2 repealed and two new sections enacted in lieu thereof, to be
3 known as sections 579.097 and 579.101, to read as follows:

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

579.101. 1. No person shall intentionally possess or
2 buy any solvent, [particularly] **chemical, reagent,**

EXPLANATION-Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

3 **refrigerant, or other substance including, but not limited**
4 **to, difluoroethane, trifluoroethane, tetrafluoroethane,**
5 toluol, amyl nitrite, butyl nitrite, cyclohexyl nitrite,
6 ethyl nitrite, pentyl nitrite, [and] **or** propyl nitrite and
7 their iso-analogues for the purpose of inducing or aiding
8 any other person to violate the provisions of sections
9 579.097 and 579.099.

10 2. Any person who violates any provision of sections
11 579.097 to 579.101 is guilty of a:

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

15 (2) Class [E felony] **A misdemeanor for a second**
16 **violation; and**

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

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