

HOUSE BILL NO. HB0075

Unlawful use of toxic substances.

Sponsored by: Representative(s) Simpson, Childers, Martin
and Watt and Senator(s) Coe

A BILL

for

1 AN ACT relating to crimes and offenses; prohibiting
2 inhalation or ingestion of substances which are not
3 manufactured for such purpose; providing a definition;
4 providing a penalty; and providing for an effective date.

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6 *Be It Enacted by the Legislature of the State of Wyoming:*

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8 **Section 1.** W.S. 6-9-203 is created to read:

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10 **6-9-203. Unlawful use of toxic substances; penalty.**

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12 (a) A person commits the offense of unlawful use of a
13 toxic substance if he inhales or ingests or possesses with
14 the purpose to inhale or ingest, for the purpose of
15 altering his mental or physical state, any toxic substance

1 that is not manufactured for human consumption or
2 inhalation.

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4 (b) As used in this section "toxic substance" means:

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6 (i) Volatile solvents including, but not limited
7 to, paint thinner, gasoline, correction fluid, felt-tip
8 markers, nail polish remover and glue;

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10 (ii) Aerosols containing propellants and
11 solvents such as toluene including, but not limited to,
12 spray paint, deodorant, hair products, cooking products and
13 fabric protectors;

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15 (iii) Gases including, but not limited to,
16 butane, refrigerants and organic hydrocarbons not created
17 for human ingestion, inhalation or injection; and

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19 (iv) Nitrates including, but not limited to
20 cyclohexyl nitrate, amyl nitrate and butyl nitrate.

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22 (c) The provisions of subsection (a) of this section
23 do not apply to a bona fide institution of higher education
24 conducting research with human volunteers pursuant to

1 guidelines adopted by the institution or any federal or
2 state agency.

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4 (d) A violation of this section is punishable by
5 imprisonment for not more than six (6) months, a fine of
6 not more than seven hundred fifty dollars (\$750.00), or
7 both.

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9 **Section 2.** This act is effective July 1, 2005.

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(END)