

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2007

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HOUSE BILL 267

Short Title: Alcohol Inhalers Illegal. (Public)

Sponsors: Representatives Gibson; Brown, Faison, Hilton, Lewis, McGee, Saunders, Tarleton, and Walker.

Referred to: Judiciary II.

February 20, 2007

A BILL TO BE ENTITLED

AN ACT TO ADD ETHYL ALCOHOL AS A SUBSTANCE SPECIFICALLY NAMED AS A TOXIC VAPOR AND TO MAKE ILLEGAL ANY INSTRUMENT THAT CAN BE USED TO ATOMIZE OR INTRODUCE A TOXIC VAPOR INTO THE BODY UNLESS IT IS A DEVICE USED TO DELIVER A PRESCRIPTION MEDICATION OR AN APPROVED OVER-THE-COUNTER MEDICATION.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 90-113.10 reads as rewritten:

"§ 90-113.10. Inhaling fumes for purpose of causing intoxication.

It is unlawful for any person to knowingly breathe or inhale any compound, liquid, or chemical containing toluol, hexane, trichloroethane, isopropanol, methyl isobutyl ketone, methyl cellosolve acetate, cyclohexanone, ethyl alcohol, or any other substance for the purpose of inducing a condition of intoxication. This section does not apply to any person using as an inhalant any chemical substance pursuant to the direction of a physician or dentist licensed medical provider authorized by law to prescribe the inhalant or chemical substance possessed."

SECTION 2. Chapter 90 of the General Statutes is amended by adding a new section to read:

"§ 90-113.10A. Inhalant paraphernalia.

It shall be unlawful for any person to sell, give, deliver, possess, or use any instrument or implement to atomize or in any other way prepare a substance for inhalation for the purpose of inducing a condition of intoxication. This section does not apply to any instrument that is used to deliver or inhale any substance that has been dispensed or prescribed by a licensed medical provider authorized by law to prescribe the inhalant or chemical substance possessed. This section is not a lesser included offense of G.S. 90-113.22."

SECTION 3. This act becomes effective October 1, 2007, and applies to offenses committed on or after that date.