HOUSE BILL NO. 499

IN THE LEGISLATURE OF THE STATE OF ALASKA

SEVENTEENTH LEGISLATURE - SECOND SESSION

BY REPRESENTATIVES PARNELL, Foster

Introduced: 2/18/92
Referred: Health, Education & Social Services, Judiciary

A BILL

FOR AN ACT ENTITLED

"An Act creating the offense of abusing toxic vapors."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

*** Section 1.** AS 11.76 is amended by adding a new section to read:

Sec. 11.76.150. ABUSING TOXIC VAPORS. (a) A person may not knowingly smell or inhale the fumes of toxic vapors for the purpose of causing a condition of euphoria, excitement, exhilaration, stupefaction, or dulled senses of the nervous system. A person may not knowingly possess, buy, use, or help another person to possess, buy, or use such a substance for the purposes described in this subsection. This subsection does not apply to inhalation of anesthesia or other substances for medical or dental purposes.

(b) In a prosecution for a violation of (a) of this section, evidence that a container lists one or more of the substances described in (c) of this section as one of its ingredients is prima facie evidence that the substance in such container contains toxic vapors and emits fumes of toxic vapors.

(c) In this section, "toxic vapors" means the following substances or products containing

1 such substances:

2 (1) alcohols, including methyl, isopropyl, propyl, or butyl;

3 (2) aliphatic acetates, including ethyl, methyl, propyl, or methyl cellosolve acetate;

4 (3) acetone;

5 (4) benzene;

6 (5) carbon tetrachloride;

7 (6) cyclohexane;

8 (7) freons, including freon 11 and freon 12;

9 (8) hexane;

10 (9) mexane;

11 (10) methyl ethyl ketone;

12 (11) methyl isobutyl ketone;

13 (12) naphtha;

14 (13) perchlorethylene;

15 (14) toluene;

16 (15) trichloroethane;

17 (16) xylene.

18 (d) A person who violates the provisions of (a) of this section commits the offense of
19 abusing toxic vapors. Abusing toxic vapors is a violation and is punishable as authorized in
20 AS 12.55, except that if a fine is imposed it may not be more than $100.