
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1081

Session of
1999

INTRODUCED BY BISHOP, THOMAS, STABACK, GEIST, ORIE, MELIO,
EVANS, BAKER, JAMES, WASHINGTON, RIEGER, SOLOBAY, PESCI,
ROONEY, FRANKEL, TIGUE, DONATUCCI AND HORSEY, MARCH 24, 1999

REFERRED TO COMMITTEE ON HEALTH AND HUMAN SERVICES,
MARCH 24, 1999

AN ACT

1 Regulating the sale to minors of dangerous inhalants;
2 prohibiting misuse of those inhalants; and conferring powers
3 and duties on the Department of Health.

4 The General Assembly of the Commonwealth of Pennsylvania
5 hereby enacts as follows:

6 Section 1. Short title.

7 This act shall be known and may be cited as the Inhalant
8 Abuse Act.

9 Section 2. Declaration of policy.

10 The General Assembly finds and declares as follows:

11 (1) There are individuals under 15 years of age who
12 abuse inhalants.

13 (2) Abuse under paragraph (1) leads to poor scholastic
14 performance.

15 (3) Abuse under paragraph (1) can lead to other forms of
16 substance abuse.

17 Section 3. Definitions.

1 The following words and phrases when used in this act shall
2 have the meanings given to them in this section unless the
3 context clearly indicates otherwise:

4 "Department." The Department of Health of the Commonwealth.

5 "Inhalant." A solvent, nitrite, aerosol or gas, which the
6 department:

7 (1) determines to be susceptible to improper use under
8 section 4(a); and

9 (2) lists on a notice published annually in the
10 Pennsylvania Bulletin.

11 Section 4. Prohibition.

12 (a) Abuse.--An individual may not, with the intent to
13 achieve a state of intoxication, inhale an inhalant.

14 (b) Purchase and sale.--

15 (1) An individual who is under 16 years of age may not
16 purchase an inhalant.

17 (2) A person may not sell an inhalant to a purchaser
18 whom the person knows to be under 16 years of age.

19 (3) A person may not sell, or offer for sale, at retail
20 an inhalant unless the following warning is printed on the
21 label of the container of the inhalant:

22 WARNING: INTENTIONALLY INHALING THIS PRODUCT MAY CAUSE
23 SEVERE PHYSICAL AND EMOTIONAL PROBLEMS, AND EVEN A ONE-
24 TIME USE CAN RESULT IN DEATH.

25 (c) Grading.--

26 (1) An individual who violates subsection (a) or (b)(1)
27 or (3) commits a summary offense.

28 (2) A person that violates subsection (b)(2) commits a
29 misdemeanor of the third degree.

30 Section 5. Effective date.

1 This act shall take effect as follows:

2 (1) Section 4 shall take effect upon the first
3 publication of notice referred to in paragraph (2) of the
4 definition of "inhalant" in section 3.

5 (2) This section shall take effect immediately.

6 (3) The remainder of this act shall take effect in 60
7 days.