

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1752 Session of
1997

INTRODUCED BY DiGIROLAMO, FARGO, E. Z. TAYLOR, DeWEESE, CLYMER,
ADOLPH, HABAY, HENNESSEY, JAMES, KAISER, MELIO, OLASZ,
SERAFINI, STABACK, M. COHEN, TRELLO, YOUNGBLOOD, McNAUGHTON
AND RAMOS, SEPTEMBER 4, 1997

AS REPORTED FROM COMMITTEE ON JUDICIARY, HOUSE OF
REPRESENTATIVES, AS AMENDED, SEPTEMBER 23, 1997

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
2 Consolidated Statutes, further providing for sale or illegal
3 use of certain solvents.

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

6 Section 1. Section 7303 of Title 18 of the Pennsylvania
7 Consolidated Statutes is amended to read:

8 § 7303. Sale or illegal use of certain solvents and noxious
9 substances.

10 (a) Offense defined.--No person shall, for the purpose of
11 causing a condition of intoxication, inebriation, excitement,
12 stupefaction, or the dulling of his brain or nervous system,
13 intentionally smell or inhale the fumes from any NOXIOUS
14 SUBSTANCE OR substance containing a solvent having the property
15 of releasing toxic vapors or fumes.

16 (b) Exception.--Subsection (a) of this section shall not
17 apply to the inhalation of any anesthesia for medical or dental

1 purposes.

2 (c) Possession prohibited.--No person shall, for the purpose
3 of violating subsection (a) of this section, use, or possess for
4 the purpose of so using, any noxious substance or substance
5 containing a solvent having the property of releasing toxic
6 vapors or fumes.

7 (d) Sale prohibited.--No person shall sell at retail, or
8 offer to sell, to any other person any tube or other container
9 of ANY NOXIOUS SUBSTANCE OR substance containing a solvent <—
10 having the property of releasing toxic vapors or fumes, if he
11 has reasonable cause to suspect that the product sold, or
12 offered for sale, will be used for the purpose set forth in
13 subsection (a) of this section.

14 (e) Grading.--Any person who violates any provision of this
15 section shall be guilty of a misdemeanor of the third degree.

16 (f) Definition.--As used in this section the phrase "any
17 noxious substance or substance containing a solvent having the
18 property of releasing toxic vapors or fumes" shall mean any
19 substance containing one or more of the following chemical
20 compounds: acetone, acetate, benzene, butyl alcohol, CYCLOHEXYL <—
21 NITRITE, ethyl alcohol, ethylene dichloride, isopropyl alcohol,
22 methyl alcohol, methyl ethyl ketone, nitrous oxide,
23 pentachlorophenol, petroleum ether, or toluene.

24 Section 2. This act shall take effect in 60 days.