

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2396 Session of
2006

INTRODUCED BY PETRI, ARMSTRONG, BAKER, BALDWIN, BASTIAN, BEBKO-JONES, BOYD, CALTAGIRONE, CLYMER, DALLY, J. EVANS, FAIRCHILD, FLEAGLE, GOODMAN, HARHART, HERSHEY, JAMES, KAUFFMAN, M. KELLER, KOTIK, MAITLAND, MANN, McNAUGHTON, R. MILLER, S. MILLER, O'NEILL, PHILLIPS, RAPP, SAYLOR, SCHRODER, STABACK, E. Z. TAYLOR, TIGUE, TRUE, WALKO, WATSON, WILT, WRIGHT, YOUNGBLOOD AND GINGRICH, JANUARY 26, 2006

REFERRED TO COMMITTEE ON JUDICIARY, JANUARY 26, 2006

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
2 Consolidated Statutes, prohibiting the sale, purchase,
3 possession and use of alcohol vaporizing devices; and
4 imposing penalties.

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

7 Section 1. Title 18 of the Pennsylvania Consolidated
8 Statutes is amended by adding a section to read:

9 § 7327.1. Prohibition of alcohol vaporizing devices.

10 (a) Offenses defined.--

11 (1) A person who sells, purchases or possesses an
12 alcohol vaporizing device commits a misdemeanor of the third
13 degree.

14 (2) A person who uses an alcohol vaporizing device
15 commits a summary offense.

16 (b) Defense.--It is a defense to prosecution under this

1 section that the person sold, purchased, possessed or used an
2 alcohol vaporizing device for medical or scientific purposes on
3 premises other than those licensed under the act of April 12,
4 1951 (P.L.90, No.21), known as the Liquor Code.

5 (c) Definition.--As used in this section, the term "alcohol
6 vaporizing device" means any device, machine or process that
7 mixes liquor or malt or brewed beverages with pure oxygen or
8 another gas to produce a vaporized product, including, but not
9 limited to, products known as alcohol without liquid, for the
10 purpose of consumption through inhalation.

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