

Stricken language would be deleted from present law. Underlined language would be added to present law.

1 State of Arkansas  
2 81st General Assembly  
3 Regular Session, 1997

As Engrossed: H2/7/97

# A Bill

HOUSE BILL 1445

4  
5 By: Representative Critcher

## For An Act To Be Entitled

9 "AN ACT TO PROHIBIT ANY PERSON FROM POSSESSING OR USING  
10 NITROUS OXIDE WITH THE INTENT OF INHALING OR INGESTING IT  
11 TO INDUCE INTOXICATION OR STUPEFACTION; TO PROHIBIT ANY  
12 PERSON OR BUSINESS FROM SELLING NITROUS OXIDE TO ANYONE  
13 FOR THE PURPOSE OF INTOXICATION; TO PROVIDE FOR CERTAIN  
14 EXCEPTIONS; AND FOR OTHER PURPOSES."

## Subtitle

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17 "TO PROHIBIT ANY PERSON FROM POSSESSING  
18 OR SELLING NITROUS OXIDE WITH THE INTENT  
19 OF USING IT FOR THE PURPOSE OF  
20 INTOXICATION."

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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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24 SECTION 1. Any person who possesses nitrous oxide, any compound,  
25 liquid, or chemical which contains nitrous oxide, commonly known as "laughing  
26 gas", or any amyl nitrite, commonly known as "poppers" or "snappers", with the  
27 intent to breathe, inhale, ingest, or use it for the purpose of causing a  
28 condition of intoxication, elation, euphoria, dizziness, stupefaction, or  
29 dulling of the senses or for the purpose of, in any manner, changing,  
30 distorting, or disturbing the audio, visual, or mental processes or who  
31 knowingly and with the intent to do so is under the influence of nitrous  
32 oxide, any compound, liquid, or chemical which contains nitrous oxide, or any  
33 amyl nitrite shall be guilty of Class A misdemeanor.

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35 SECTION 2. Any person, firm, corporation, limited liability company, or  
36 association that intentionally sells, offers for sale, distributes, or gives

1 away, nitrous oxide, any compound, liquid, or chemical which contains nitrous  
2 oxide, or any amyl nitrite for the purpose of inducing or aiding any other  
3 person to breathe, inhale, ingest, or use, or to be under the influence of  
4 those substances for the purposes prohibited in Section 1 shall be guilty of a  
5 Class A misdemeanor.

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7 SECTION 3. (a) The prohibitive provisions is this act shall not apply  
8 to the possession and use of these substances prescribed as part of the  
9 practice of dentistry or as part of the care or treatment of a disease,  
10 condition, or injury by a licensed physician or to the use as part of a  
11 manufacturing process or industrial operation.

12 (b) The prohibitive provisions is this act shall not apply to the  
13 possession, use, or sale of nitrous oxide as a propellant in food preparation  
14 for restaurant, food service, or housewares products.

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16 SECTION 4. All provisions of this act of general and permanent nature  
17 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code  
18 Revision Commission shall incorporate the same in the Code.

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20 SECTION 5. If any provisions of this act or the application thereof to  
21 any person or circumstance is held invalid, the invalidity shall not affect  
22 other provisions or applications of the act which can be given effect without  
23 the invalid provisions or application, and to this end the provisions of this  
24 act are declared to be severable.

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26 SECTION 5. All laws and parts of laws in conflict with this act are  
27 hereby repealed.

28 /s/Rep. Critcher

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