

**Sixty-seventh Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 5, 2021**

SENATE BILL NO. 2273
(Senators J. Roers, Dwyer, Larson)
(Representatives Ista, Roers Jones)

AN ACT to amend and reenact section 19-03.1-22.1 of the North Dakota Century Code, relating to the inhalation of vapors; and to provide a penalty.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 19-03.1-22.1 of the North Dakota Century Code is amended and reenacted as follows:

19-03.1-22.1. Volatile chemicals - Inhalation of vapors prohibited - Definitions - Penalty.

1. An individual is guilty of a class B misdemeanor if that individual intentionally inhales the vapors of a volatile chemical in a manner designed to affect the individual's central nervous system; to create or induce a condition of intoxication, hallucination, or elation; or to distort, disturb, or change the individual's eyesight, thinking processes, balance, or coordination. An individual is guilty of a class A misdemeanor if that individual violates this section for a third or subsequent offense within one year of the first offense. For a third or subsequent offense, the sentence must include an order for an addiction evaluation by, and compliance with recommendations from, an appropriate licensed addiction treatment program.
2. This section does not apply to inhalations specifically prescribed for medical, dental, or optometric treatment purposes or to controlled substances described in this chapter. For the purposes of this section, "volatile chemical" includes the following chemicals or their isomers:
 - 1-a. Acetone.
 - 2-b. Aliphatic hydrocarbons.
 - 3-c. Amyl nitrite.
 - 4-d. Butane.
 - 5-e. Butyl nitrite.
 - 6-f. Carbon tetrachloride.
 - 7-g. Chlorinated hydrocarbons.
 - 8-h. Chlorofluorocarbons.
 - 9-i. Chloroform.
 - 10-j. Cyclohexane.
 - 11-k. Diethyl ether.
 - 12-l. Ethyl acetate.
 - 13-m. Fluorocarbon.
 - 14-n. Glycol ether inter solvent.
 - 15-o. Glycol ether solvent.

- 16.p. Hexane.
- 17.q. Ketone solvent.
- 18.r. Methanol.
- 19.s. Methyl cellosolve acetate.
- 20.t. Methyl ethyl ketone.
- 21.u. Methyl isobutyl ketone.
- 22.v. Nitrous oxide.
- 23.w. Petroleum distillate.
- 24.x. Toluene.
- 25.y. Trichloroethane.
- 26.z. Trichloroethylene.
- 27.aa. Xylol or xylene.

President of the Senate

Speaker of the House

Secretary of the Senate

Chief Clerk of the House

This certifies that the within bill originated in the Senate of the Sixty-seventh Legislative Assembly of North Dakota and is known on the records of that body as Senate Bill No. 2273.

Senate Vote: Yeas 42 Nays 4 Absent 1

House Vote: Yeas 78 Nays 16 Absent 0

Secretary of the Senate

Received by the Governor at _____ M. on _____, 2021.

Approved at _____ M. on _____, 2021.

Governor

Filed in this office this _____ day of _____, 2021,

at _____ o'clock _____ M.

Secretary of State