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## DIGEST

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HB 64 Original

2024 Regular Session

Stagni

**Abstract:** Prohibits the retail sale of nitrous oxide.

Present law provides that it is unlawful for any person to inhale, ingest, use, or possess any compound, liquid, or chemical which contains butyl nitrite, isobutyl nitrite, secondary butyl nitrite, tertiary butyl nitrite, mixtures containing butyl nitrite, isobutyl nitrite, secondary butyl nitrite, or tertiary butyl nitrite, nitrous oxide, commonly known as "laughing gas" or any amyl nitrite, commonly known as "poppers" or "snappers".

Proposed law retains present law and provides that it is also unlawful for any person to inhale, ingest, use, or possess any gas which contains the substances provided in present law.

Present law provides that it is not unlawful to possess or use present law substances as part of a manufacturing process or industrial operation.

Proposed law amends present law to clarify that the use of present law substances as part of a manufacturing process or industrial operation may only be by the manufacturer.

Present law provides that it is unlawful for any person to possess, buy, sell, or otherwise transfer any substance specified in present law for the purpose of inducing or aiding any other person to inhale or ingest such substance or otherwise violate present law.

Proposed law amends present law to remove the condition that, in order to be unlawful, the sale or transfer of any substance specified in present law be for the purpose of inducing or aiding any other person to inhale or ingest such substance.

Present law provides that whoever violates present law shall be fined not more than \$500 or imprisoned for not more than six months, or both.

Proposed law changes the penalty from a fine of not more than \$500 to a fine of not more than \$2,500. Further changes the imprisonment term from not more than six months to not more than one year.

Proposed law retains present law relative to the imposition of both a fine and imprisonment as a penalty.

(Amends R.S. 40:989)