

2 **HB 2772 - H AMD 925 ADOPTED 2-13-98**

3 By Representative

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5 Strike everything after the enacting clause and insert the
6 following:

7 "NEW SECTION. **Sec. 1.** A new section is added to chapter 26.28 RCW
8 to read as follows:

9 (1) Every person who sells or gives, or permits to be sold or given
10 to any person any drug paraphernalia in any form commits a class I
11 civil infraction under chapter 7.80 RCW. For purposes of this
12 subsection, "drug paraphernalia" means all equipment, products, and
13 materials of any kind which are used, intended for use, or designed for
14 use in planting, propagating, cultivating, growing, harvesting,
15 manufacturing, compounding, converting, producing, processing,
16 preparing, testing, analyzing, packaging, repackaging, storing,
17 containing, concealing, injecting, ingesting, inhaling, or otherwise
18 introducing into the human body a controlled substance. Drug
19 paraphernalia includes, but is not limited to objects used, intended
20 for use, or designed for use in ingesting, inhaling, or otherwise
21 introducing marihuana, cocaine, hashish, or hashish oil into the human
22 body, such as:

23 (a) Metal, wooden, acrylic, glass, stone, plastic, or ceramic pipes
24 with or without screens, permanent screens, hashish heads, or punctured
25 metal bowls;

26 (b) Water pipes;

27 (c) Carburetion tubes and devices;

28 (d) Smoking and carburetion masks;

29 (e) Roach clips: Meaning objects used to hold burning material,
30 such as a marihuana cigarette, that has become too small or too short
31 to be held in the hand;

32 (f) Miniature cocaine spoons and cocaine vials;

33 (g) Chamber pipes;

34 (h) Carburetor pipes;

35 (i) Electric pipes;

36 (j) Air-driven pipes;

1 (k) Chillums;

2 (l) Bongs; and

3 (m) Ice pipes or chillers.

4 (2) It shall be no defense to a prosecution for a violation of this
5 section that the person acted, or was believed by the defendant to act,
6 as agent or representative of another.

7 (3) Nothing in subsection (1) of this section prohibits legal
8 distribution of injection syringe equipment through public health and
9 community based HIV prevention programs."

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