
HOUSE BILL 2700

State of Washington

55th Legislature

1998 Regular Session

By Representatives Kastama, Doumit, L. Thomas, Morris, DeBolt, Boldt, Delvin, Mulliken, Ogden, Conway, Cooper, Anderson, Thompson, Gardner and McCune

Read first time 01/19/98. Referred to Committee on Law & Justice.

1 AN ACT Relating to selling or giving drug or tobacco paraphernalia
2 to minors; amending RCW 26.28.080; and prescribing penalties.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 26.28.080 and 1994 sp.s. c 7 s 437 are each amended to
5 read as follows:

6 (1) Every person who sells or gives, or permits to be sold or given
7 to any person under the age of eighteen years any cigar, cigarette,
8 cigarette paper or wrapper, or tobacco in any form is guilty of a gross
9 misdemeanor.

10 (2) Every person who sells or gives, or permits to be sold or given
11 to any person under the age of eighteen years any drug or tobacco
12 paraphernalia in any form commits a class I civil infraction under
13 chapter 7.80 RCW. For purposes of this subsection, "drug or tobacco
14 paraphernalia" means all equipment, products, and materials of any kind
15 which are used, or intended for use, or designed for use in smoking,
16 inhaling, or ingesting tobacco in any form, or which are used, intended
17 for use, or designed for use in planting, propagating, cultivating,
18 growing, harvesting, manufacturing, compounding, converting, producing,
19 processing, preparing, testing, analyzing, packaging, repackaging,

1 storing, containing, concealing, injecting, ingesting, inhaling, or
2 otherwise introducing into the human body a controlled substance. Drug
3 or tobacco paraphernalia includes, but is not limited to objects used,
4 intended for use, or designed for use in ingesting, inhaling, or
5 otherwise introducing tobacco, marihuana, cocaine, hashish, or hashish
6 oil into the human body, such as:

7 (a) Metal, wooden, acrylic, glass, stone, plastic, or ceramic pipes
8 with or without screens, permanent screens, hashish heads, or punctured
9 metal bowls;

10 (b) Water pipes;

11 (c) Carburetion tubes and devices;

12 (d) Smoking and carburetion masks;

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

16 (f) Miniature cocaine spoons and cocaine vials;

17 (g) Chamber pipes;

18 (h) Carburetor pipes;

19 (i) Electric pipes;

20 (j) Air-driven pipes;

21 (k) Chillums;

22 (l) Bongs; and

23 (m) Ice pipes or chillers.

24 (3) It shall be no defense to a prosecution for a violation of this
25 section that the person acted, or was believed by the defendant to act,
26 as agent or representative of another.

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