
Commerce & Labor Committee

HB 1215

Brief Description: Prohibiting the sale, purchase, or use of alcohol vaporizing devices.

Sponsors: Representative McDonald.

Brief Summary of Bill

- Prohibits the sale, offer for sale, purchase, use, or offer for use of an alcohol vaporizing device.

Hearing Date: 1/26/07

Staff: Joan Elgee (786-7106).

Background:

An alcohol vaporizing device mixes alcohol with oxygen or other gas to produce a vapor or mist for the purpose of inhaling. Such a device can be purchased on the internet for about \$300.

At least 20 states have laws making alcohol vaporizing devices illegal.

Liquor Control Board licensees, such as restaurants, taverns, and clubs, are subject to administrative sanction for violation of the liquor laws and rules. Criminal penalties are also provided for licensees as well as other persons who violate the liquor laws.

Summary of Bill:

The sale, offer for sale, purchase, use, or offer for use of an alcohol vaporizing device is illegal. An alcohol vaporizing device is any device that mixes liquor or other alcohol product with oxygen or other gas to produce a vapor or mist for the purpose of inhaling.

Licensees of the Liquor Control Board who violate the prohibition are subject to administrative sanction. Other persons, as well as licensees, are subject to criminal penalties. The penalties are:

- First offense: misdemeanor, punishable by a fine up to \$500 and jail time up to 2 months.

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- Second offense: gross misdemeanor, punishable by jail time up to 6 months.
- Third or subsequent offense: gross misdemeanor, punishable by jail time up to one year

The prohibition does not apply to vaporizing devices used for medical or scientific research.

Rules Authority: The bill does not address the rule-making powers of an agency.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.