

FILED FEB 11 1998

JUDICIAL

SENATE FILE 2178

BY BLACK of Jasper

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act to prohibit public intoxication by inhaling chemical
2 substances and providing a penalty.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

S.F. 2178

1 Section 1. NEW SECTION. 126.24 INTENTIONAL INHALING OF
2 CHEMICAL SUBSTANCES -- INTOXICATION.

3 1. A person shall not be intoxicated in a public place as
4 a result of knowingly and intentionally inhaling a chemical
5 substance or any fumes or gases emitted from a chemical
6 substance. A person who is intoxicated in a public place and
7 who knowingly and intentionally has become intoxicated by
8 inhaling a chemical substance or any fumes or gases emitted
9 from a chemical substance commits a serious misdemeanor.

10 2. For purposes of this section, a "public place" means
11 any place, building, or conveyance to which the public has or
12 is permitted access.

13 EXPLANATION

14 This bill prohibits the intentional inhaling of a chemical
15 substance or any fumes or gases that may be emitted from the
16 substance and being intoxicated in a public place as a result
17 of that conduct. A violation of the prohibition against
18 public intoxication by inhaling chemical substances is
19 punishable as a serious misdemeanor. The term "public place"
20 is defined to mean any place, building, or conveyance to which
21 the public has or is permitted access.

22 A serious misdemeanor is punishable by imprisonment of not
23 more than one year or a fine of not less than \$250 but not
24 more than \$1,500, or both.

25

26

27

28

29

30

31

32

33

34

35