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HOUSE BILL NO. 2308

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the House Committee for Courts of Justice
on January 29, 2025)

(Patron Prior to Substitute—Delegate Hodges)

A BILL to amend and reenact § 18.2-264 of the Code of Virginia, relating to inhaling drugs or other noxious chemical substances or causing, etc., others to do so; nitrous oxide; penalties.

Be it enacted by the General Assembly of Virginia:

1. That § 18.2-264 of the Code of Virginia is amended and reenacted as follows:

§ 18.2-264. Inhaling drugs or other noxious chemical substances or causing, etc., others to do so; penalties.

A. It is unlawful, except under the direction of a practitioner as defined in § 54.1-3401, for any person deliberately to smell or inhale any drugs or any other noxious chemical substances with the intent to become intoxicated, inebriated, excited, or stupefied or to dull the brain or nervous system.

Any person violating the provisions of this subsection is guilty of a Class 1 misdemeanor.

B. It is unlawful for any person, other than one duly licensed, deliberately to cause, invite, or induce any person to smell or inhale any drugs or any other noxious chemical substances with the intent to intoxicate, inebriate, excite, stupefy, or dull the brain or nervous system of such person.

Any person violating the provisions of this subsection is guilty of a Class 2 misdemeanor.

C. For the purposes of this section, "noxious chemical substances" includes fingernail polish and model airplane glue and chemicals containing any ketones, aldehydes, organic acetates, ether, chlorinated hydrocarbons or vapors, fluorinated hydrocarbons or vapors, *nitrous oxide*, or hydrogenated fluorocarbons.

HOUSE SUBSTITUTE

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