

HOUSE BILL NO. 331  
INTRODUCED BY PISTORIA

IN THE HOUSE

January 18, 1983	Introduced and referred to Committee on Judiciary.
January 27, 1983	Committee recommend bill do pass as amended. Report adopted.
January 28, 1983	Bill printed and placed on members' desks.
January 29, 1983	Second reading, do pass.
January 31, 1983	Considered correctly engrossed.
February 1, 1983	Third reading, passed. Transmitted to Senate.

IN THE SENATE

February 2, 1983	Introduced and referred to Committee on Judiciary.
March 19, 1983	Committee recommend bill be concurred in as amended. Report adopted.
March 22, 1983	Second reading, concurred in.
March 24, 1983	Third reading, concurred in. Ayes, 49; Noes, 0.

IN THE HOUSE

March 24, 1983	Returned to House with amendments.
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March 31, 1983

Second reading, amendments  
concurrent in.

April 1, 1983

Third reading, amendments  
concurrent in.

Sent to enrolling.

Reported correctly enrolled.

1 House BILL NO. 331  
2 INTRODUCED BY Paul M. Pistoria  
3

4 A BILL FOR AN ACT ENTITLED: "AN ACT TO ESTABLISH THE  
5 OFFENSE OF CRIMINAL POSSESSION OF A TOXIC SUBSTANCE."  
6

7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

8 Section 1. Criminal possession of toxic substances --  
9 penalty. (1) A person commits the offense of criminal  
10 possession of a toxic substance if he inhales or ingests or  
11 possesses with the purpose to inhale or ingest, for the  
12 purpose of altering his mental or physical state, any  
13 substance with toxic effects that is not manufactured for  
14 human consumption or inhalation, including but not limited  
15 to glue, fingernail polish, paint and paint thinners,  
16 petroleum products, aerosol propellants, and chemical  
17 solvents.

18 (2) A person convicted of criminal possession of a  
19 toxic substance shall be imprisoned in the county jail for a  
20 term not to exceed 6 months or be fined an amount not to  
21 exceed \$1,000, or both.

22 Section 2. Codification instruction. Section 1 is  
23 intended to be codified as an integral part of Title 45,  
24 chapter 9, part 1, and the provisions of Title 45 apply to  
25 section 1.

-End-

INTRODUCED BILL

HB 331

Approved by committee  
on Judiciary

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human consumption or inhalation, including but not limited  
to glue, fingernail polish, paint and paint thinners,  
petroleum products, aerosol propellants, and chemical  
solvents.

(2) A person convicted of ~~criminal possession of a~~  
~~toxic substance~~ UNDER THIS SECTION shall be imprisoned in  
the county jail for a term not to exceed 6 months or be  
fined an amount not to exceed ~~\$1,000~~ \$500, or both.

Section 2. Codification instruction. Section 1 is  
intended to be codified as an integral part of Title 45,  
chapter 9, part 1, and the provisions of Title 45 apply to  
section 1.

-End-

SECOND READING

HB 331

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the county jail for a term not to exceed 6 months or be  
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intended to be codified as an integral part of Title 45,  
chapter 9, part 1, and the provisions of Title 45 apply to  
section 1.

-End-

THIRD READING

SENATE STANDING COMMITTEE REPORT  
(Judiciary)

That House Bill No. 331 be amended as follows:

1. Page 1.

Following: line 17

Insert: "(2) The provisions of subsection (1) do not apply to a bona fide institution of higher education conducting research with human volunteers pursuant to guidelines adopted by the institution or any federal or state agency."

Re-number: subsequent subsection.

2. Page 1.

Following: line 21

Insert: "(4) The youth court has jurisdiction of any violation of subsection (1) by a person under 18 years of age."

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human consumption or inhalation, including but not limited  
to glue, fingernail polish, paint and paint thinners,  
petroleum products, aerosol propellants, and chemical  
solvents.

~~(2) THE PROVISIONS OF SUBSECTION (1) DO NOT APPLY TO A  
BOYA FIDE INSTITUTION OF HIGHER EDUCATION CONDUCTING  
RESEARCH WITH HUMAN VOLUNTEERS PURSUANT TO GUIDELINES  
ADOPTED BY THE INSTITUTION OR ANY FEDERAL OR STATE AGENCY.~~

~~(2)(3) A person convicted of criminal possession of a  
toxic substance UNDER THIS SECTION shall be imprisoned in  
the county jail for a term not to exceed 6 months or be  
fined an amount not to exceed \$1,000 \$500, or both.~~

~~(4) THE YOUTH COURT HAS JURISDICTION OF ANY VIOLATION  
OF SUBSECTION (1) BY A PERSON UNDER 18 YEARS OF AGE.~~

Section 2. Codification instruction. Section 1 is  
intended to be codified as an integral part of Title 45,  
chapter 9, part 1, and the provisions of Title 45 apply to  
section 1.

-End-