

(1) A PERSON MAY NOT DELIBERATELY SMELL OR INHALE A SUBSTANCE LISTED IN PARAGRAPH (2) OF THIS SUBSECTION IN AN AMOUNT THAT CAUSES INTOXICATION, EXCITEMENT, STUPEFACTION, OR DULLING OF THE BRAIN OR NERVOUS SYSTEM.

(2) THIS SECTION APPLIES TO A DRUG OR ANY OTHER NOXIOUS SUBSTANCE OR CHEMICAL THAT CONTAINS:

- (I) AN ALDEHYDE;
- (II) BUTANE;
- (III) BUTYL NITRITE;
- (IV) A CHLORINATED HYDROCARBON;
- (V) ETHER;
- (VI) A FLUORINATED HYDROCARBON;
- (VII) A KETONE;
- (VIII) METHYL BENZENE;
- (IX) NITROUS OXIDE;
- (X) AN ORGANIC ACETATE; OR

(XI) ANOTHER SUBSTANCE CONTAINING SOLVENTS RELEASING TOXIC VAPORS.

(C) PENALTY.

A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 6 MONTHS OR A FINE NOT EXCEEDING \$500 OR BOTH.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 27, § 301.

In subsection (a)(1) of this section, the reference to a substance or chemical "that causes intoxication, inebriation, excitement, stupefaction, or dulling of the brain or nervous system when smelled or inhaled" is substituted for the former reference to a substance or chemical "which has the aforementioned effect upon the brain or nervous system" for clarity.

Also in subsection (a)(1) of this section, the former reference to this section applying "with particularity" to certain substances is deleted as surplusage.

In subsection (b)(2) of this section, the former reference to drugs, noxious substances, or chemicals that contain "wholly or in part" certain substances is deleted as included in the reference to a substance "that contains" the listed chemicals.