

HOUSE BILL NO. HB0005

Alcohol without liquid.

Sponsored by: Joint Corporations, Elections and Political Subdivisions Interim Committee

A BILL

for

1 AN ACT relating to alcoholic beverages; prohibiting use of
2 alcohol without liquid devices; providing exceptions;
3 providing a penalty; and providing for an effective date.

4

5 *Be It Enacted by the Legislature of the State of Wyoming:*

6

7 **Section 1.** W.S. 12-10-101 is created to read:

8

9

CHAPTER 10

10

MISCELLANEOUS

11

12 **12-10-101. Possessing or using an alcohol without**
13 **liquid device prohibited; exception; definition; penalties.**

14

1 (a) Except as provided in subsections (b) and (c) of
2 this section, no person shall possess, purchase, sell,
3 offer to sell or use an alcohol without liquid device.

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5 (b) This section shall not apply to a hospital that
6 operates primarily for the purpose of conducting scientific
7 research, a state institution conducting bona fide
8 research, a private college or university conducting bona
9 fide research or to a pharmaceutical company or
10 biotechnology company conducting bona fide research.

11

12 (c) This section shall not apply to an individual who
13 possesses a prescription, from a licensed Wyoming
14 physician, that allows for the use of an alcohol without
15 liquid device for legitimate medical purposes.

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17 (d) Any person who violates subsection (a) of this
18 section is guilty of a misdemeanor punishable by a fine of
19 not more than seven hundred fifty dollars (\$750.00),
20 imprisonment for not more than six (6) months, or both.

21

22 (e) As used in this section "alcohol without liquid
23 device" means a device, machine, apparatus or appliance
24 that mixes alcoholic liquor with pure or diluted oxygen to

1 produce an alcohol vapor that an individual can inhale. An
2 alcohol without liquid device does not include an inhaler,
3 nebulizer, atomizer or other device that is designed and
4 intended by the manufacturer to dispense a prescribed or
5 over-the-counter medication.

6

7 **Section 2.** This act is effective July 1, 2006.

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9

(END)