

State of South Dakota

EIGHTY-THIRD SESSION
LEGISLATIVE ASSEMBLY, 2008

285P0211

HOUSE BILL NO. 1265

Introduced by: Representatives Koistinen, Brunner, Dennert, DeVries, Elliott, Engels, Faehn, Gassman, Gilson, Halverson, Hills, Howie, Jerke, Lucas, McLaughlin, Miles, Nelson, Noem, Novstrup (Al), Nygaard, Rounds, Steele, Street, Turbiville, Van Etten, Vanneman, Weems, and Wick and Senators Greenfield, Abdallah, Albers, Apa, Duenwald, Hansen (Tom), Hauge, Hunhoff, Maher, Peterson (Jim), and Turbak Berry

1 FOR AN ACT ENTITLED, An Act to prohibit the sale, purchase, use, or possession of alcohol
2 without liquid devices.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. No person may sell, offer to sell, purchase, possess, or use an alcohol without
5 liquid device. For the purposes of this section, the term, alcohol without liquid device, means
6 an apparatus that is advertised, designed, or used to vaporize an alcoholic beverage to produce
7 a vapor that may be inhaled by an individual. The term does not include an inhaler, nebulizer,
8 atomizer, or other device that is designed and intended specifically for medical purposes to
9 dispense prescribed or over-the-counter medications or water.

10 This section does not apply to a hospital that operates primarily for the purpose of
11 conducting scientific research, a state institution conducting bona fide research, a private college
12 or university conducting bona fide research, or a pharmaceutical company or biotechnology
13 company conducting bona fide research.



1 A violation of this section is a Class 1 misdemeanor.