

1 STATE OF OKLAHOMA

2 1st Session of the 60th Legislature (2025)

3 COMMITTEE SUBSTITUTE  
4 FOR  
5 HOUSE BILL NO. 1933

By: Sterling

6  
7 COMMITTEE SUBSTITUTE

8 An Act relating to nitrous oxide; providing  
9 definition; prohibiting the sale of nitrous oxide to  
10 persons under twenty-one; requiring proof of legal  
11 age; providing for enforcement; providing penalty;  
12 providing for imprisonment; providing exceptions;  
13 providing for noncodification; providing for  
14 codification; and providing an effective date.

15 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

16 SECTION 1. NEW LAW A new section of law not to be  
17 codified in the Oklahoma Statutes reads as follows:

18 This act shall be known and may be cited as the "Maddix Bias  
19 Act".

20 SECTION 2. NEW LAW A new section of law to be codified  
21 in the Oklahoma Statutes as Section 465.22 of Title 63, unless there  
22 is created a duplication in numbering, reads as follows:

23 As used in this section:  
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1       A. "Nitrous oxide" means any of the following substances: N2O,  
2 dinitrogen monoxide, dinitrogen oxide, nitrogen oxide, or laughing  
3 gas.

4       B. 1. This act prohibits any person to inhale, ingest, or  
5 possess with intent to breathe, inhale, or drink any compound,  
6 liquid, or chemical containing nitrous oxide, or any similar  
7 substance for the purpose of inducing a condition of intoxication or  
8 which distorts or disturbs the auditory, visual, or mental  
9 processes; and

10       2. It is unlawful for any person to inhale, ingest, possess,  
11 buy, sell, or otherwise transfer any chemical substance defined in  
12 subsection A for the purpose of inducing or aiding any other person  
13 to violate the provisions of paragraph 1 of this subsection.

14       C. On and after the effective date of this act, violation of  
15 subsection B is a misdemeanor with imprisonment up to ninety (90)  
16 days or a fine of Five Thousand Dollars (\$5,000.00), or both. The  
17 court may require any person to participate in an approved drug  
18 rehabilitation program as a condition of probation.

19       D. Any person who knowingly distributes, sells, purchases,  
20 transfers, or possesses more than sixteen (16) grams of nitrous  
21 oxide commits a misdemeanor with imprisonment up to ninety (90) days  
22 or a fine of Five Thousand Dollars (\$5,000.00), or both. Knowingly  
23 distributing, selling, purchasing, transferring, or possessing more  
24 than sixteen (16) grams of nitrous oxide shall be known as unlawful

1 distribution of nitrous oxide. For purposes of this subsection, in  
2 addition to proving by any other means that nitrous oxide was  
3 knowingly possessed, distributed, sold, purchased, or transferred,  
4 proof that any person discharged, or aided another in discharging  
5 nitrous oxide to inflate a balloon or any other object suitable for  
6 subsequent inhalation creates an inference of the person's knowledge  
7 that the nitrous oxide's use was for an unlawful purpose.

8 E. Additionally, any person twenty-one (21) years of age or  
9 older who sells or offers to sell drug paraphernalia to a person  
10 less than eighteen (18) years of age is guilty of a misdemeanor  
11 punishable by imprisonment for up to one (1) year or a fine of up to  
12 Seven Thousand Five Hundred Dollars (\$7,500.00), or both. These  
13 provisions would only apply to the selling or offering of an object  
14 specifically designed for inhaling nitrous oxide for recreational  
15 purposes.

16 F. Pursuant to this act, the court shall order the suspension  
17 of the business license, for a period of up to one (1) year of a  
18 person who knowingly violates this subsection after having been  
19 previously convicted of a violation of this subsection, unless the  
20 owner of the business license can demonstrate a good faith attempt  
21 to prevent illegal sales or deliveries by the owner's employees.

22 G. This act shall not apply to any person who administers  
23 nitrous oxide for the purpose of providing medical or dental care,  
24 if administered by a medical or dental practitioner licensed by this

1 state or at the direction or under the supervision of a practitioner  
2 licensed by this state.

3 H. This act does not apply to the sale of nitrous oxide  
4 contained in food products for use as a propellant.

5 I. This act does not apply to the sale, use, or possession of  
6 nitrous oxide containing sulfur dioxide used for automotive  
7 purposes.

8 J. This act does not apply to the sale, use, or possession of  
9 nitrous oxide used in manufacturing or use in an industrial  
10 application.

11 K. This act does not apply to nitrous oxide cartridges or  
12 whipped cream "chargers" purchased exclusively from commercial  
13 restaurant supply companies or vendors exclusively to commercial  
14 restaurants or bakery businesses that use nitrous oxide cartridges  
15 for the sole purpose of producing whipped cream or other culinary  
16 uses.

17 SECTION 3. This act shall become effective November 1, 2025.

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