

1 STATE OF OKLAHOMA

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

3 POLICY COMMITTEE
4 RECOMMENDATION

5 FOR

6 HOUSE BILL NO. 1933

7 By: Sterling

8 POLICY COMMITTEE RECOMMENDATION

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

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

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

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

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

24 As used in this section:

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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