

HOUSE BILL REPORT

ESHB 2532

As Passed Legislature

Title: An act relating to the sale and distribution of nitrous oxide.

Brief Description: Concerning the sale and distribution of nitrous oxide.

Sponsors: House Committee on Community Safety (originally sponsored by Representatives Timmons, Griffey, Davis, Parshley, Cortes, Leavitt, Ramel, Fosse, Nance, Obras and Bergquist).

Brief History:

Committee Activity:

Community Safety: 1/26/26, 2/2/26 [DPS].

Floor Activity:

Passed House: 2/11/26, 95-0.

Senate Amended.

Passed Senate: 2/28/26, 49-0.

House Concurred.

Passed House: 3/11/26, 96-0.

Passed Legislature.

Brief Summary of Engrossed Substitute Bill

- Makes the sale, furnishment, administration, and distribution of nitrous oxide a gross misdemeanor, with specified exemptions.

HOUSE COMMITTEE ON COMMUNITY SAFETY

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 9 members: Representatives Goodman, Chair; Simmons, Vice Chair; Graham, Ranking Minority Member; Griffey, Assistant Ranking Minority Member; Burnett, Davis, Farivar, Fosse and Obras.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.

Staff: Lena Langer (786-7192).

Background:

Classification of Crimes.

Crimes are classified as misdemeanors, gross misdemeanors, or class A, B, or C felonies. While there are exceptions, the classification of a crime generally determines the maximum term of confinement and fine for an offense. For each classification, the maximum terms of confinement and maximum fines are as follows:

Classification	Maximum Confinement	Maximum Fine
Misdemeanor	90 Days	\$1,000
Gross Misdemeanor	364 Days	\$5,000
Class C Felony	5 Years	\$10,000
Class B Felony	10 Years	\$20,000
Class A Felony	Life	\$50,000

Nitrous Oxide.

Nitrous oxide is also known as dinitrogen monoxide or laughing gas. It is a colorless gas, about 50 percent heavier than air, with a slightly sweet smell. Nitrous oxide is manufactured by the thermal decomposition of ammonium nitrate. It is approved for medical and culinary purposes by the United States Food and Drug Administration (FDA). Physicians and dentists have been using nitrous oxide since the mid-nineteenth century, and it is still commonly used for sedation and pain relief in clinical settings.

The FDA has issued warnings about the intentional misuse or inhalation of nitrous oxide from various canisters, tanks, chargers, and other products.

Summary of Engrossed Substitute Bill:

It is a gross misdemeanor for a person to sell, furnish, administer, distribute, give away, or offer to sell, furnish, administer, distribute, or give away a device, canister, tank, or receptacle either exclusively containing nitrous oxide or flavored nitrous oxide or exclusively containing a chemical compound mixed with nitrous oxide.

The following are not violations of the prohibition:

- the administration of nitrous oxide for the purpose of providing medical, veterinary, or dental care, as a licensed medical, veterinary, or dental practitioner or under the supervision of a licensed practitioner;
- the sale of nitrous oxide contained in food products for use as a propellant;
- the sale and use of nitrous oxide by a manufacturer as part of a manufacturing process

- or industrial operation;
- the filling of cylinders of nitrous oxide for the subsequent sale, furnishment, or distribution of nitrous oxide for medical, veterinary, dental, food-grade, industrial, or automotive purposes, provided that the cylinders are not for personal use; and
- the sale and use of nitrous oxide for automotive purposes.

Nitrous oxide means N₂O, dinitrogen monoxide, dinitrogen oxide, nitrogen oxide, or laughing gas.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) There is an unfortunate trend in the use of nitrous oxide across the state and the country, particularly with youth and young adults. The use of these products can cause irreparable harm to children and teens. These products are available in stores and are blatantly marketed to children. Banning the sale of this product, while exempting legitimate uses like medical and dental, is a practical approach to this problem. There is strong support for the bill. Nitrous oxide canisters have been found on sacred sites on tribal territories. The products appear as though they are being marketed to children, and people want to ensure that youth are not using these products. The products have been banned from certain reservations. Individuals that use these products will eventually transition to other substances and drugs that further negatively impact their lives.

Nitrous oxide is incredibly dangerous for both children and adults in Washington. The wide availability of these products and targeted marketing have led to gross misuse, serious health impacts, and loss of life. A Seattle resident lost his life this past year from an overdose of nitrous oxide. Nitrous oxide should not be as accessible as it is. Nitrous oxide has many immediate effects, but recent cases over the last five to seven years show more insidious effects from multiple days of use. These effects include blood clots in the legs, arms, lungs, and brain, which may result in a coma, bleeding in the brain, seizures, permanent vision loss, and death. Chronic use may result in damage to the spinal cord, leading to other negative symptoms, which may be permanent. The Washington Poison Center, along with poison centers around the nation, have seen an increase in the number and severity of nitrous oxide exposures.

(Opposed) None.

(Other) There is a request for additional clarification in the bill as it relates to veterinary

care.

Persons Testifying: (In support) Representative Joe Timmons, prime sponsor; Loni Greninger, Vice Chairwoman, Jamestown S'Klallam Tribe; Azure Boure, Suquamish Tribal Council Member; Hewan Teshome; Jaime Bodden, WSALPHO; Kari Holley, Whatcom County Health and Community Services; and Alice Palosaari, Attorney General's Office.

(Other) Dr. Jimmy Leonard, Washington Poison Center; and Greg Hanon, Washington State Veterinary Medical Assoc.

Persons Signed In To Testify But Not Testifying: None.