



Senate Fiscal Agency
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BILL ANALYSIS

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Senate Bill 57 (as reported without amendment)
Senate Bill 58 (as reported without amendment)
Sponsor: Senator Stephanie Chang (S.B. 57)
 Senator Joseph Bellino, Jr. (S.B. 58)
Committee: Health Policy

CONTENT

Senate Bill 57 would amend Article 7 (Controlled Substances) of the Public Health Code to prohibit a person from selling or offering for sale an object specifically designed for inhaling nitrous oxide for recreational purposes knowing that the object would be used to inhale nitrous oxide for recreational purposes.

Senate Bill 58 would amend Article 7 of the Public Health Code to prescribe a misdemeanor for selling or offering for sale to a person less than 18 years of age an object specifically designed for inhaling nitrous oxide for recreational purposes.

The bills are tie-barred, and each bill would take effect 90 days after its enactment.

MCL 333.7453 (S.B. 57); MCL 333.7455 (S.B. 58)

BRIEF RATIONALE

"Whippets" is a slang term used to describe steel aerosol containers filled with nitrous oxide. Nitrous oxide is a gas that some people use recreationally to produce a brief high; its use also can cause long-term brain damage, seizures, psychosis, bone marrow problems, motor skill problems, and even death. According to testimony, adults and minors have been using whippets at higher rates since the start of the COVID-19 pandemic. Reportedly, a six-week collection campaign in Detroit in 2020 collected over 30,000 whippets. It has been suggested that the sale of whippets for the inhalation of nitrous oxide be prohibited.

PREVIOUS LEGISLATION

(This section does not provide a comprehensive account of previous legislative efforts on this subject matter.)

Senate Bill 57 is a reintroduction of Senate Bill 996 from the 2021-2022 Legislative Session. Senate Bill 996 passed the Senate and was referred to the House Committee on Judiciary but received no further action.

Legislative Analyst: Alex Krabill

FISCAL IMPACT

The bills could have a negative fiscal impact on State and local government. New misdemeanor arrests and convictions under the bills could increase resource demands on law enforcement, court systems, community supervision, and jails; however, it is unknown how many people would be prosecuted under the bills' provisions. Any additional revenue from imposed fines would go to local libraries.

Date Completed: 10-5-23

Fiscal Analyst: Joe Carrasco, Jr.

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Bill Analysis @ www.senate.michigan.gov/sfa

This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.