A-Engrossed
House Bill 2136

Ordered by the House April 29
Including House Amendments dated April 29

Ordered printed by the Speaker pursuant to House Rule 12.00A (5). Presession filed (at the request of Governor Theodore R. Kulongoski for Department of Human Services)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

Prohibits sale or distribution of tobacco products from vending machines. **Creates exceptions.**

A BILL FOR AN ACT

Relating to vending machines distributing tobacco products; amending ORS 167.402.

Be It Enacted by the People of the State of Oregon:

SECTION 1. ORS 167.402 is amended to read:

167.402. **(1) As used in this section, "vending machine" means a mechanical, electronic or similar device that, upon the insertion of tokens, money or another form of payment, dispenses tobacco products.**

[*(1)*] **(2)** [*No person having authority over such placement shall locate a vending machine from which*] **A person may not sell or dispense** tobacco products, as defined in ORS 431.840, [*in any form are dispensed in any place legally accessible to persons under 18 years of age except taverns and cocktail lounges, industrial plants, as defined in ORS 308.408, hotels and motels.*] **from a vending machine, except in a bar, tavern or cocktail lounge posted as off-limits to minors under rules adopted by the Oregon Liquor Control Commission.**

[*(2)*] **(3)** Violation of subsection [*(1)*] **(2)** of this section is a Class B violation. Each day of violation constitutes a separate offense.

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.