

Enrolled
House Bill 4172

Sponsored by COMMITTEE ON RULES

CHAPTER

AN ACT

Relating to the use of retired state police officers to enforce laws concerning tobacco products; appropriating money; and declaring an emergency.

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

SECTION 1. The State Police Tobacco Law Enforcement Fund is established in the State Treasury, separate and distinct from the General Fund. Interest earned by the State Police Tobacco Law Enforcement Fund shall be credited to the State Police Tobacco Law Enforcement Fund. Moneys in the State Police Tobacco Law Enforcement Fund are continuously appropriated to the Department of State Police for use in carrying out the program described in section 2 of this 2012 Act.

SECTION 2. (1) As used in this section, “tobacco products” has the meaning given that term in ORS 431.840.

(2) The Oregon Health Authority may apply for and accept moneys from the United States Government or other public or private sources for utilization of those moneys by the Department of State Police in accordance with any federal restrictions or other funding source restrictions to carry out the duties, functions and powers of the department under this section. Moneys received as provided under this subsection shall be deposited into the State Treasury to the credit of the State Police Tobacco Law Enforcement Fund. Moneys that are subject to funding source conditions or restrictions shall be placed in separate subaccounts of the fund and accounted for separately from other fund moneys.

(3) The department shall establish and administer a program employing retired state police officers who are active reserve officers for the purpose of enforcing laws designed to discourage the use of tobacco products by persons under 18 years of age. The department shall periodically consult with the authority to maximize program qualification for federal funds to enforce laws designed to discourage the use of tobacco products by persons under 18 years of age, including but not limited to grants under P.L. 102-321, section 1926 (42 U.S.C. 300x-26). Service by a retired state police member under this section is subject to ORS 238.082. The department may not use the services of a retired state police officer under this section to displace an active state police member from the enforcement of laws concerning tobacco products.

(4) The department shall adopt rules for carrying out subsection (3) of this section.

SECTION 3. This 2012 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2012 Act takes effect on its passage.

Passed by House February 28, 2012

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Ramona Kenady Line, Chief Clerk of House

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Bruce Hanna, Speaker of House

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Arnie Roblan, Speaker of House

Passed by Senate March 1, 2012

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Peter Courtney, President of Senate

Received by Governor:

.....M,....., 2012

Approved:

.....M,....., 2012

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John Kitzhaber, Governor

Filed in Office of Secretary of State:

.....M,....., 2012

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Kate Brown, Secretary of State