

SB 1577 A STAFF MEASURE SUMMARY

Senate Committee On Health Care

Action Date: 02/13/20

Action: Do pass with amendments and requesting referral to Ways and Means. (Printed A-Engrossed.)

Vote: 3-2-0-0

Yeas: 3 - Beyer, Fagan, Monnes Anderson

Nays: 2 - Knopp, Linthicum

Fiscal: Fiscal impact issued

Revenue: Has minimal revenue impact

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Meeting Dates: 2/6, 2/11, 2/13

WHAT THE MEASURE DOES:

Prohibits retail sale of tobacco products or inhalant delivery systems at premises not licensed by the Department of Revenue (DOR). Defines "premises" and specifies exceptions. Defines qualifications DOR must consider in issuing retail licensure. Requires posting of proof of licensure. Defines circumstances in which DOR may revoke, suspend, or refuse to renew or issue a retail license. Defines civil penalties applicable to persons who engage in retail sale without licensure. Allows seizure of contraband tobacco products by DOR or law enforcement agencies. Requires DOR and the Oregon Health Authority (OHA) to adopt rules and enter into intergovernmental agreements. Increases amount of civil penalties OHA is allowed to impose for violations. Requires OHA to ensure that retailers are inspected at least once a year. Permits local public health authorities, with current retail standards for the sale of tobacco products and inhalant delivery systems, to enforce those standards. Allows local public health authorities to establish a schedule of fees. Permits cities, local governing bodies, or local public health authorities, with retail standards for the sale of tobacco products and inhalant delivery systems, to continue to enforce those standards. Takes effect on 91st day following adjournment sine die.

ISSUES DISCUSSED:

- Prevalence and impact of lung injuries
- Potential impact on small businesses
- Prevalence of flavored nicotine products among youth

EFFECT OF AMENDMENT:

Replaces measure.

BACKGROUND:

According to the Centers for Disease Control, as of January 21, 2020, a total of 2,711 hospitalized e-cigarette, or vaping, product use-associated lung injury cases or deaths have been reported. This total includes 60 deaths, two of which were in Oregon.

Tobacco retail licensing laws have been adopted in approximately 40 states to define the permissible retail sale of tobacco, e-cigarettes, and inhalant delivery system products. Local ordinances have also been adopted in several Oregon counties.

Senate Bill 1577-A establishes tobacco retail licensing standards for the State that recognize already established standards adopted by local governments.