

SB 702-3
(LC 230)
4/4/25 (VSR/ps)

Requested by Senator REYNOLDS

**PROPOSED AMENDMENTS TO
SENATE BILL 702**

1 On page 1 of the printed bill, line 2, delete “and 431A.175” and insert “,
2 431A.175, 431A.190 and 431A.194”.

3 Delete lines 7 through 22 and insert:

4 “(a)(A) ‘Characterizing flavor’ means:

5 “(i) An artificial or natural taste, flavor, aroma, smell or sensation not
6 attributable exclusively to tobacco that an ordinary consumer would distin-
7 guish prior to or during consumption, including but not limited to a taste,
8 flavor, aroma, smell or sensation related to menthol, mint, wintergreen,
9 chocolate, cocoa, vanilla, honey or molasses or any fruit, candy, dessert, al-
10 coholic beverage, herb, spice, chill, ice, fresh, arctic or frost or a minty or
11 cooling effect.

12 “(ii) A product is presumed to have a characterizing flavor if the man-
13 ufacturer, importer, distributor, wholesaler or retailer of the product, or a
14 third party authorized by the manufacturer, importer, distributor, wholesaler
15 or retailer of the product, makes an express or implied public statement that
16 describes the product as producing a taste, flavor, aroma, smell or sensation
17 not attributable exclusively to tobacco, including but not limited to menthol,
18 mint, wintergreen, chocolate, cocoa, vanilla, honey or molasses or any fruit,
19 candy, dessert, alcoholic beverage, herb, spice, chill, ice, fresh, arctic or frost
20 or a minty or cooling effect.

21 “(B) ‘Characterizing flavor’ does not include the artificial or natural

1 taste, flavor, aroma, smell or sensation of cannabis.

2 “(b) ‘Flavored inhalant delivery system product’ means an inhalant de-
3 livery system product that imparts a characterizing flavor.

4 “(c) ‘Flavored tobacco product’ means a tobacco product that imparts a
5 characterizing flavor.”.

6 On page 2, line 45, after “state” insert “, except as provided in ORS
7 431A.194”.

8 On page 3, after line 19, insert:

9 “(6) The authority may adopt rules necessary to administer this section,
10 ORS 431A.178 and 431A.183.”.

11 After line 40, insert:

12 **“SECTION 4.** ORS 431A.190 is amended to read:

13 “431A.190. As used in ORS 431A.190 to 431A.216:

14 **“(1) ‘Flavored inhalant delivery system product’ has the meaning**
15 **given that term in ORS 431A.175.**

16 **“(2) ‘Flavored tobacco product’ has the meaning given that term in**
17 **ORS 431A.175.**

18 “[1] (3) ‘Governing body of a local public health authority’ has the
19 meaning given that term in ORS 431.003.

20 “[2] (4) ‘Inhalant delivery system’ has the meaning given that term in
21 ORS 431A.175.

22 “[3] (5) ‘Local public health authority’ has the meaning given that term
23 in ORS 431.003.

24 “[4] (6) ‘Premises’ means the real property on which a business that
25 makes retail sales of tobacco products or inhalant delivery systems is lo-
26 cated.

27 “[5] (7) ‘Tobacco products’ has the meaning given that term in ORS
28 431A.175.

29 **“SECTION 5.** ORS 431A.194 is amended to read:

30 “431A.194. (1) A person may not make a retail sale of a tobacco product

or an inhalant delivery system at or from a premises located in this state unless the person sells the tobacco product or inhalant delivery system at or from a premises licensed or otherwise authorized under ORS 431A.198 or 431A.220.

“(2) Notwithstanding subsection (1) of this section, a person may not make a retail sale of a flavored tobacco product or a flavored inhalant delivery system product at or from a premises located in this state unless the person sells the flavored tobacco product or flavored inhalant delivery system product at or from a premises that is:

“(a) Licensed or otherwise authorized under ORS 431A.198 or 431A.220; and

“(b) Established as a store by the Oregon Liquor and Cannabis Commission under ORS 471.750.”.

In line 41, delete “4” and insert “6”.

In line 42, delete “5” and insert “7”.

On page 4, line 2, delete “5” and insert “7”.

In line 3, delete “5” and insert “7”.

In line 4, delete “October 1, 2025” and insert “July 1, 2026”.

In line 10, delete “6” and insert “8”.