

SB 1571-3
(LC 249)
2/16/26 (VSR/SCT/ps)

Requested by Senator THATCHER

**PROPOSED AMENDMENTS TO
SENATE BILL 1571**

On page 1 of the printed bill, line 2, after “ORS” delete the rest of the line and delete line 3 and insert “431A.175; and prescribing an effective date.”.

Delete lines 5 through 24 and delete pages 2 through 5 and insert:

“SECTION 1. ORS 431A.175 is amended to read:

“431A.175. (1) As used in this section and ORS 431A.183:

“(a)(A) ‘Inhalant delivery system’ means:

“(i) A device that can be used to deliver nicotine or cannabinoids in the form of a vapor or aerosol to a person inhaling from the device; or

“(ii) A component of a device described in this subparagraph or a substance in any form sold for the purpose of being vaporized or aerosolized by a device described in this subparagraph, whether **or not** the component or substance is sold separately [*or is not sold separately*].

“(B) ‘Inhalant delivery system’ does not include:

“(i) Any product that has been approved by the United States Food and Drug Administration for sale as a tobacco cessation product or for any other therapeutic purpose, if the product is marketed and sold solely for the approved purpose; and

“(ii) Tobacco products.

“(b) ‘Nicotine’ means any form of the chemical nicotine, regardless of whether the chemical is naturally or synthetically derived, includ-

1 **ing any salt, complex, alkaloid or analog of nicotine.**

2 “[*b*)] (c)(A) ‘Tobacco products’ means:

3 “[*A*)] (i) **Any product that contains or is made or derived from to-**
4 **bacco or nicotine and that is likely to be used for human consumption**
5 **by any means, including in the forms of** bidis, cigars, cheroots, stogies,
6 periques, granulated, plug cut, crimp cut, ready rubbed and other smoking
7 tobacco, snuff, snuff flour, cavendish, plug and twist tobacco, fine-cut and
8 other chewing tobaccos, shorts, refuse scraps, clippings, cuttings and
9 sweepings of tobacco and other forms of tobacco[, *prepared in a manner that*
10 *makes the tobacco suitable for chewing or smoking in a pipe or otherwise, or*
11 *for both chewing and smoking*], **oral nicotine pouches, nicotine lozenges**
12 **and other products that contain nicotine;**

13 “[*B*)] (ii) Cigarettes as defined in ORS 323.010 (1); or

14 “[*C*)] (iii) A device that:

15 “[*i*)] (I) Can be used to deliver tobacco products to a person using the
16 device; and

17 “[*ii*)] (II) Has not been approved by the United States Food and Drug
18 Administration for sale as a tobacco cessation product or for any other
19 therapeutic purpose, if the product is marketed and sold solely for the ap-
20 proved purpose.

21 **“(B) ‘Tobacco products’ does not include an article that is food, as**
22 **defined in ORS 616.205, if the article does not contain nicotine or con-**
23 **tains no more than trace amounts of naturally occurring nicotine.**

24 **“(2) It is unlawful to:**

25 **“(a) [*To*] Violate ORS 167.755.**

26 **“(b) [*To*] Fail as a retailer of tobacco products to post a notice substan-**
27 **tially similar to the notice described in subsection (3) of this section in a**
28 **location that is clearly visible to the seller and the purchaser of the tobacco**
29 **products.**

30 **“(c) [*To*] Fail as a retailer of inhalant delivery systems to post a notice**

1 in a location that is clearly visible to the seller and the purchaser of the
2 inhalant delivery systems that it is unlawful to sell inhalant delivery systems
3 to persons under 21 years of age. The Oregon Health Authority shall adopt
4 by rule the content of the notice required under this paragraph.

5 “(d) [To] Distribute, sell or allow to be sold an inhalant delivery system
6 if the inhalant delivery system is not labeled in accordance with rules
7 adopted by the authority.

8 “(e) [To] Distribute, sell or allow to be sold an inhalant delivery system
9 if the inhalant delivery system is not packaged in child-resistant safety
10 packaging, as required by the authority by rule.

11 “(f) [To] Distribute, sell or allow to be sold an inhalant delivery system
12 if the inhalant delivery system is packaged in a manner that is attractive to
13 minors, as determined by the authority by rule.

14 “(g) [To] Distribute, sell or allow to be sold cigarettes in any form other
15 than a sealed package that contains at least 20 cigarettes.

16 “(3) The notice required by subsection (2)(b) of this section must be sub-
17 stantially as follows:

18 “

19 NOTICE

20 The sale of tobacco in any form to persons under 21 years of age is pro-
21 hibited by law. Any person who sells, or allows to be sold, tobacco to a
22 person under 21 years of age is in violation of Oregon law.

23 “

24 “(4) Rules adopted under subsection (2)(d), (e) and (f) of this section must
25 be consistent with any regulation adopted by the United States Food and
26 Drug Administration related to labeling or packaging requirements for
27 inhalant delivery systems.

28 **“SECTION 2. This 2026 Act takes effect on the 91st day after the**
29 **date on which the 2026 regular session of the Eighty-third Legislative**
30 **Assembly adjourns sine die.”.**

