

PRELIMINARY STAFF MEASURE SUMMARY**CARRIER:**

Senate Committee on Senate Health Care

REVENUE: Minimal revenue impact (HB 2546 A)**FISCAL: Minimal fiscal impact (HB 2546 A)****Action:****Vote:****Yeas:****Nays:****Exc.:****Prepared By:** Zena Rockowitz, Administrator**Meeting Dates:** 3/23, 5/4

WHAT THE MEASURE DOES: Defines “inhalant delivery system.” Amends laws relating to sale of tobacco products to, and the use of tobacco products by, minors. Expands scope of the offense of endangering the welfare of a minor by knowingly causing sale of tobacco products to minors by including distribution and sale of inhalant delivery systems. Adds inhalants to the Oregon Clean Air Act, and defines “inhalant.” Repeals laws relating to smoking in public that are duplicative or inconsistent with provisions of the Oregon Clean Air Act. Clarifies the exception also applies to devices approved by federal Food and Drug Administration. Allows healthcare facilities to allow inhalant delivery system on site for the purpose of administering medical marijuana. Directs Oregon Health Authority (OHA) to report on the consistency between state and federal regulations on or before February 1, 2019. Declares emergency, effective on passage.

ISSUES DISCUSSED:

- Subjecting electronic cigarettes and vapor products to same laws as tobacco products
- Lack of Federal Drug Administration approval for electronic cigarettes
- Content of products in cartridges
- Youth ability to purchase electronic cigarettes
- Indoor air quality impact by electronic cigarettes
- Child resistant cartridges
- Science on labeling and national packaging standards
- Attraction of available flavors
- Electronic cigarettes compared to other nicotine products
- Use of inhalant delivery systems to quit smoking
- Sampling indoors

EFFECT OF COMMITTEE AMENDMENT: - A30 Amendment: Extends implementation of Clean Indoor Air Act application to inhalant delivery systems to January 1, 2016.

BACKGROUND: Electronic cigarettes, often called e-cigarettes, are battery-operated devices designed to look like regular tobacco cigarettes, although later generations of the device do not look like cigarettes. These devices are also known as personal vaporizers or electronic nicotine delivery systems. The device functions as follows: an atomizer heats liquid containing nicotine, turning it into a vapor that can be inhaled and creating a vapor cloud that resembles cigarette smoke. Manufacturers claim that electronic cigarettes are a safe alternative to conventional cigarettes. However, the Food and Drug Administration (FDA) has not determined and has questioned the safety of these products. When the FDA analyzed samples of two popular brands, it found variable amounts of nicotine and traces of toxic chemicals, including known cancer-causing substances. This prompted the FDA to issue a warning about potential health risks associated with electronic cigarettes.

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This summary has not been adopted or officially endorsed by action of the committee.