

**PROPOSED AMENDMENTS TO  
A-ENGROSSED HOUSE BILL 2546**

1 On page 1 of the printed A-engrossed bill, line 3, delete “433.835,”.

2 In line 4, delete “433.840, 433.845, 433.847, 433.850, 433.855, 433.870,”.

3 On page 2, after line 16, insert:

4 “(b)(A) ‘Nicotine liquid container’ means a container containing a sub-  
5 stance described in paragraph (a)(A)(ii) of this subsection.

6 “(B) ‘Nicotine liquid container’ does not include a cartridge containing  
7 a substance described in paragraph (a)(A)(ii) of this subsection that is pre-  
8 filled and sealed by the manufacturer of the cartridge and that is not in-  
9 tended to be opened by a purchaser of the cartridge.”.

10 In line 17, delete “(b)” and insert “(c)”.

11 Delete lines 34 through 41 and insert:

12 “(d) To distribute, sell or allow to be sold a nicotine liquid container that  
13 does not satisfy the requirements set forth in 16 C.F.R. 1700.15(b), as in effect  
14 on the effective date of this 2015 Act.”.

15 In line 42, delete “(g)” and insert “(e)”.

16 On page 3, delete lines 10 through 12.

17 On page 7, delete lines 11 through 45 and delete pages 8 through 10 and  
18 insert:

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20 **“RESTRICTIONS ON USE OF INHALANT DELIVERY SYSTEMS**

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22 **“SECTION 14. (1) As used in this section:**

1       “(a) ‘Child care facility’ has the meaning given that term in ORS  
2       329A.250.

3       “(b) ‘Inhalant delivery system’ has the meaning given that term in  
4       ORS 431.840.

5       “(c) ‘Playground’ means an area designed, equipped and set aside  
6       for play of six or more children that is not intended for use as an  
7       athletic playing field or athletic court.

8       “(2) A person may not use an inhalant delivery system in the fol-  
9       lowing indoor areas:

10       “(a) A child care facility, unless the child care facility is a resident  
11       address and the use of the inhalant delivery system occurs when chil-  
12       dren who are enrolled in the child care facility are not present at the  
13       child care facility;

14       “(b) A public or private elementary school or secondary school; and

15       “(c) An elevator.

16       “(3) A person may not use an inhalant delivery system in the fol-  
17       lowing outdoor areas:

18       “(a) Real property that is under the control of a child care facility  
19       and upon which a child care facility is located, unless the child care  
20       facility is a resident address and the use of the inhalant delivery sys-  
21       tem occurs when children who are enrolled in the child care facility  
22       are not present at the child care facility;

23       “(b) Real property that is under the control of a public or private  
24       elementary school or secondary school and upon which the elementary  
25       school or secondary school is located; and

26       “(c) A playground during the hours between sunrise and sunset, if  
27       one or more persons under the age of 12 years are present at the  
28       playground.

29       “SECTION 15. Section 14 of this 2015 Act applies to conduct occur-  
30       ring on or after the effective date of this 2015 Act.

1       “**NOTE:** Sections 16 through 21 were deleted by amendment. Subsequent  
2 sections were not renumbered.”.

3       On page 11, delete lines 1 through 37.

4       On page 14, line 18, after “431.840” insert a period and delete the rest of  
5 the line.

6       In line 19, delete “delivery systems.”.

7       In line 29, delete “and inhalants that”.

8       In line 30, delete “are used with inhalant delivery systems”.

9       On page 16, line 5, delete “(1)(a) Except as provided by paragraph (b) of  
10 this subsection,” and insert “(1)”.

11       In line 6, delete the comma and insert “and”.

12       In line 7, delete “and 433.847 by sections 1, 3 and 17” and insert “by  
13 sections 1 and 3”.

14       Delete lines 8 and 9.

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