

PRELIMINARY STAFF MEASURE SUMMARY

CARRIER:

Senate Committee on Health Care

REVENUE: May have revenue impact, statement not yet issued**FISCAL: May have fiscal impact, statement not yet issued****SUBSEQUENT REFERRAL TO: Ways and Means**

Action:**Vote:**

Yeas:

Nays:

Exc.:

Prepared By: Sandy Thiele-Cirka, Administrator**Meeting Dates:** 2/2

WHAT THE MEASURE DOES: Requires, on and after January 1, 2017, persons selling tobacco products or inhalant delivery systems in Oregon to be licensed by the Department of Revenue. Provides the department the power to discipline both licensees and persons selling tobacco or inhalant delivery systems without license. Specifies that cities and counties may not require additional license to sell tobacco products or inhalant delivery systems and may not adopt certain other types of ordinance relating to premises that sell tobacco products or inhalant delivery systems. Modifies provisions relating to Oregon Health Authority's authority to inspect and impose civil penalties on persons selling tobacco products and inhalant delivery systems. Declares an emergency, effective on passage.

ISSUES DISCUSSED:**EFFECT OF COMMITTEE AMENDMENT:**

BACKGROUND: The Tobacco Control Legal Consortium states that a tobacco retailer licensing program serves many governmental purposes. First, it assists a government to identify all the businesses selling tobacco to consumers in the community or state, which in turn helps the government enforce existing retailer laws. Additionally, through conditions imposed on the licensee, retailer licenses give government better control over where tobacco can be sold and what kinds of businesses can sell tobacco products. The government can also impose additional conditions on licenses to help ensure responsible retailing. Finally, retailer licensing provides government with an efficient enforcement mechanism to ensure that retailers comply with other applicable laws. If a retailer evades taxes, sells to minors or violates other tobacco control laws, the government can suspend or revoke the license in addition to (or in lieu of) enforcing the underlying violation.