

B-Engrossed
House Bill 3030

Ordered by the Senate May 30
Including House Amendments dated April 17 and Senate Amendments
dated May 30

Sponsored by Representative HAYDEN

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

Prohibits business that makes retail sales of nitrous oxide canisters from which individual may directly inhale nitrous oxide, or employee of business, from selling or delivering nitrous oxide canister to individual who is under *[21]* 18 years of age. Punishes by maximum of *[one year's imprisonment, \$6,250 fine, or both.]* **\$2,000 fine or, if at time of sentencing person has been convicted and sentenced during prior proceeding, 30 days' imprisonment, \$1,250 fine, or both.** Creates exception.

A BILL FOR AN ACT

1
2 Relating to nitrous oxide.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1. (1) A business that makes retail sales of nitrous oxide canisters from which**
5 **an individual may directly inhale nitrous oxide, or an employee of the business, may not sell**
6 **or deliver a nitrous oxide canister from which an individual may directly inhale nitrous oxide**
7 **to an individual who is under 18 years of age.**

8 (2)(a) Except as provided in paragraph (b) of this subsection, violation of this section is
9 a Class A violation.

10 (b) Violation of this section is a Class C misdemeanor if at the time of sentencing the
11 person has been convicted and sentenced, during a prior proceeding, under this section.

12 (3) This section does not apply to a business or employee who sells or delivers a nitrous
13 oxide canister from which an individual may directly inhale nitrous oxide if, before selling
14 or delivering the nitrous oxide canister to an individual:

15 (a) The business or employee requires the individual to present one of the following
16 pieces of identification:

17 (A) A passport;

18 (B) A driver license, whether issued in this state or by another state;

19 (C) An identification card issued under ORS 807.400;

20 (D) An identification card issued by the United States military; or

21 (E) Any other identification card issued by a state that bears a picture of the individual,
22 the name of the individual, the date of birth of the individual and a physical description of
23 the individual;

24 (b) The piece of identification presented establishes that the individual is 18 years of age
25 or older;

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted.
New sections are in **boldfaced** type.

- 1 **(c) The piece of identification presented accurately describes the individual; and**
2 **(d) If the piece of identification presented was falsified, a reasonable person would de-**
3 **termine, upon inspecting the piece of identification under the same or similar circumstances,**
4 **that the piece of identification was not altered and accurately describes the individual.**

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