

House Bill 2797

Sponsored by Representative TOMEI; Representatives BARKER, BEYER, DINGFELDER, GELSER, JENSON, ROSENBAUM, SCHAUFLEER, P SMITH (at the request of Deb Schallert)

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 **as introduced**.

Creates crime of unlawful disposition of tobacco product. Punishes by maximum fine of \$2,500.

A BILL FOR AN ACT

1
2 Relating to tobacco products.

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

4 **SECTION 1. (1) As used in this section:**

5 (a) **"Cigar" has the meaning given that term in ORS 323.500.**

6 (b) **"Cigarette" has the meaning given that term in ORS 323.010.**

7 (2) **A person commits the crime of unlawful disposition of a tobacco product if the person**
8 **knowingly disposes of a cigarette, cigar or the filter from a cigarette or cigar in any con-**
9 **tainer other than a fireproof container that was specifically designed for the disposal of cig-**
10 **arettes or cigars.**

11 (3) **Unlawful disposition of a tobacco product is a Class B misdemeanor punishable by a**
12 **fine. A court, instead of imposing a fine under this section, may order the defendant to**
13 **perform community service as provided in ORS 137.128. The community service must include**
14 **clearing property of cigarettes, cigars and cigarette and cigar filters that have been unlaw-**
15 **fully deposited on the property.**

16 (4) **If the court orders community service, the community service must be completed**
17 **within six months after entry of the order unless the person shows good cause why com-**
18 **munity service cannot be completed within the six-month time period.**

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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.