

B-Engrossed
House Bill 2136

Ordered by the Senate June 4
Including House Amendments dated April 29 and Senate Amendments
dated June 4

Ordered printed by the Speaker pursuant to House Rule 12.00A (5). Pre-session filed (at the request of Governor Theodore R. Kulongoski for Department of Human Services)

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 sale or distribution of tobacco products from vending machines. Creates exceptions.

A BILL FOR AN ACT

1
2 Relating to vending machines distributing tobacco products; amending ORS 167.402.

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

4 **SECTION 1.** ORS 167.402 is amended to read:

5 167.402. (1) **As used in this section, "vending machine" means a mechanical, electronic**
6 **or similar device that, upon the insertion of tokens, money or another form of payment,**
7 **dispenses tobacco products.**

8 *[(1)] (2) [No person having authority over such placement shall locate a vending machine from*
9 *which] A person may not sell or dispense tobacco products, as defined in ORS 431.840, [in any*
10 *form are dispensed in any place legally accessible to persons under 18 years of age except taverns and*
11 *cocktail lounges, industrial plants, as defined in ORS 308.408, hotels and motels.] **from a vending***
12 **machine, except in an establishment where the premises are posted as permanently and en-**
13 **tirely off-limits to minors under rules adopted by the Oregon Liquor Control Commission.**

14 *[(2)] (3)* Violation of subsection *[(1)] (2)* of this section is a Class B violation. Each day of vio-
15 lation constitutes a separate offense.

16

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.