

House Bill 2676

Sponsored by Representative TOMEI; Representatives BAILEY, GREENLICK, HOLVEY, MATTHEWS, READ

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. Authorizes court to impose community service in lieu of fine.

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 tobacco products is a Class B misdemeanor. Notwithstanding
12 ORS 161.515 or 161.615, unlawful disposition of a tobacco product is punishable by a fine. A
13 court, instead of imposing a fine under this section, may order the person to perform com-
14 munity service as provided in ORS 137.128. If the court orders community service in lieu of
15 a fine, the community service must:

16 (a) Include clearing property of cigarettes, cigars and cigar filters that have been un-
17 lawfully deposited on the property; and

18 (b) Be completed within six months after entry of the order unless the person shows good
19 cause why community service cannot be completed within the six-month 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.