

House Bill 4172

Sponsored by COMMITTEE ON RULES

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**.

Establishes State Police Tobacco Law Enforcement Fund separate and distinct from General Fund. Continuously appropriates fund moneys to Department of State Police for purposes of program employing retired state police officers to enforce state laws concerning tobacco products. Authorizes Oregon Health Authority to apply for federal or other public or private moneys for use by Department of State Police to carry out program.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to the use of retired state police officers to enforce laws concerning tobacco products; ap-
3 propriating money; and declaring an emergency.

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

5 **SECTION 1. The State Police Tobacco Law Enforcement Fund is established in the State**
6 **Treasury, separate and distinct from the General Fund. Interest earned by the State Police**
7 **Tobacco Law Enforcement Fund shall be credited to the State Police Tobacco Law Enforce-**
8 **ment Fund. Moneys in the State Police Tobacco Law Enforcement Fund are continuously**
9 **appropriated to the Department of State Police for use in carrying out the program described**
10 **in section 2 of this 2012 Act.**

11 **SECTION 2. (1) As used in this section, "tobacco products" has the meaning given that**
12 **term in ORS 431.840.**

13 **(2) The Oregon Health Authority may apply for and accept moneys from the United**
14 **States Government or other public or private sources for utilization of those moneys by the**
15 **Department of State Police in accordance with any federal restrictions or other funding**
16 **source restrictions to carry out the duties, functions and powers of the department under**
17 **this section. Moneys received as provided under this subsection shall be deposited into the**
18 **State Treasury to the credit of the State Police Tobacco Law Enforcement Fund. Moneys**
19 **that are subject to funding source conditions or restrictions shall be placed in separate**
20 **subaccounts of the fund and accounted for separately from other fund moneys.**

21 **(3) The department shall establish and administer a program employing retired state**
22 **police officers who are active reserve officers to enforce the laws of this state concerning**
23 **tobacco products. The department shall periodically consult with the authority to ensure**
24 **that the program is consistent with meeting any qualifications for the state to receive fed-**
25 **eral funding to enforce state laws concerning tobacco products, including but not limited to**
26 **qualification for grants under P.L. 102-321, section 1926 (42 U.S.C. 300x-26) to enforce laws**
27 **of this state concerning the sale or other distribution of tobacco products to persons under**
28 **18 years of age. Service by a retired state police member under this section is subject to ORS**
29 **238.082. The department may not use the services of a retired state police officer under this**

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 **section to displace an active state police member from the enforcement of laws concerning**
2 **tobacco products.**

3 **(4) The department shall adopt rules for carrying out subsection (3) of this section.**

4 **SECTION 3. This 2012 Act being necessary for the immediate preservation of the public**
5 **peace, health and safety, an emergency is declared to exist, and this 2012 Act takes effect**
6 **on its passage.**

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