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## **HB 2229: Tobacco Disclosure**

### What the bill does:

ORS Chapter 323 has only one statute that allows us to share information with other state and federal agencies—ORS 323.250, which was created in 1965. The statute has not been updated since and has not kept up with the changes in the tobacco industry.

ORS 323.250 is limited to cigarette tax information (does not include Other Tobacco Products) and only allows us to share information with governments outside of Oregon that *administer* tobacco taxes. This limits our ability to exchange information with agencies that regulate (but do not administer) tobacco.

The regulation of Tobacco products has significantly increased at both the federal and state levels. Those regulations often have a direct or indirect impact upon the determination of or the collection of tobacco taxes.

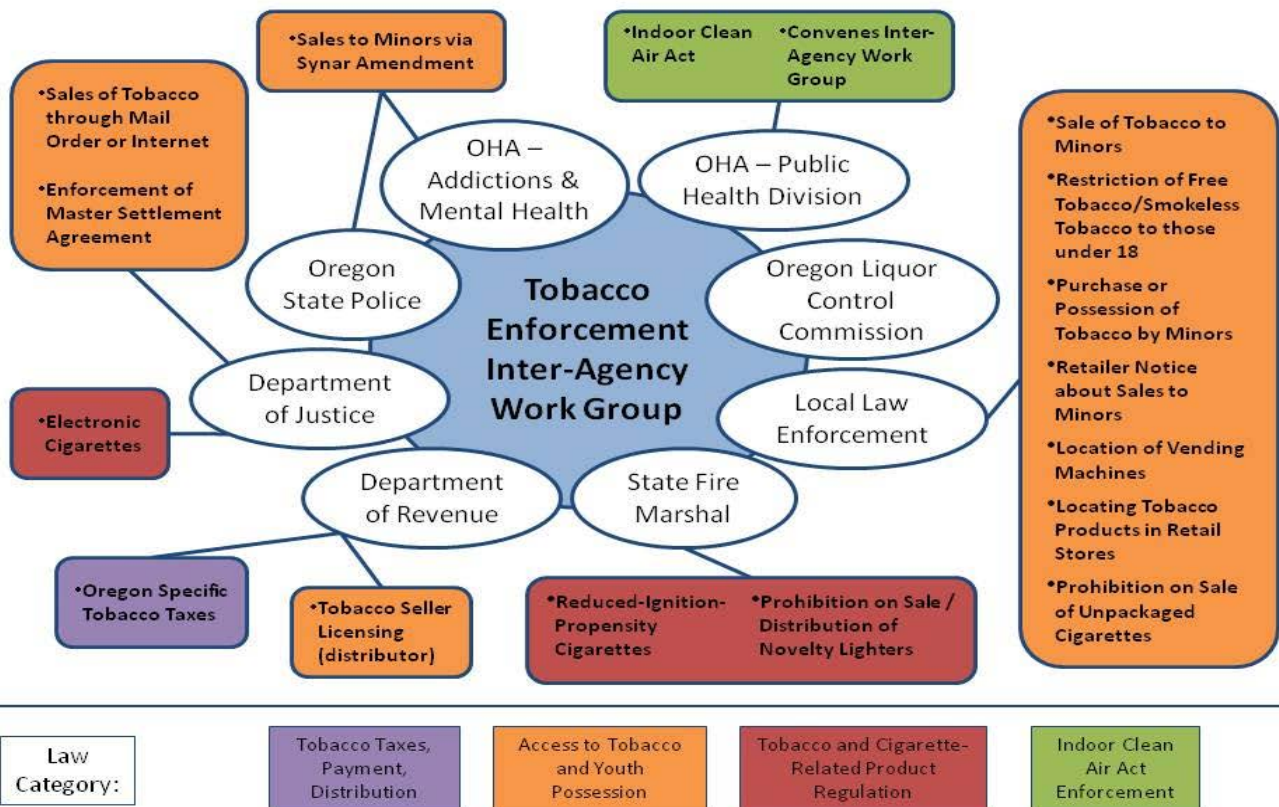
### Background:

The Department of Revenue is a member of the Tobacco Enforcement Inter-Agency Work Group. The represented agencies of this group are DOR, Oregon Health Authority, Oregon State Police, Department of Justice and Oregon Liquor Control Commission. These agencies as well as the Oregon State Fire Marshall and local law enforcement agencies perform some type of compliance activity related to tobacco products. Oregon also receives information from federal agencies such as ATF (Alcohol, Tobacco and Firearms), TTB (Alcohol and Tobacco Tax Bureau) and FDA (Food and Drug Administration).

We are currently able to received information from the agencies above to help administer the Oregon Tobacco Tax Program but are severely limited in the information we are allowed to share with others. Some of the tax information that we have could be beneficial for our partner enforcement and regulatory agencies to perform compliance work. Many times, other agencies won't share information with DOR because we can't reciprocate. DOR needs the ability to share and receive information (that may or may not be directly tax related) about both tobacco and cigarette regulation to maximize our partnerships in our administration and compliance efforts. These partnerships include Oregon's state and local agencies, other states' (tax and non-tax) state and local agencies, and various federal agencies

The chart on the next page (from an OHA report) shows the different state and local players that are responsible for some sort of tobacco product compliance work and how their functions overlap with each other.

**Figure 1:** Oregon state laws relevant to tobacco/ alcohol sales, clean indoor air, and agency responsible for enforcement



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