

PRELIMINARY STAFF MEASURE SUMMARY**CARRIER:**

Senate Committee on Judiciary

REVENUE: May have revenue impact, statement not yet issued**FISCAL: May have fiscal impact, statement not yet issued****SUBSEQUENT REFERRAL TO:****Action:****Vote:****Yeas:****Nays:****Exc.:****Prepared By:** Channa Newell, Counsel**Meeting Dates:** 3/9

WHAT THE MEASURE DOES: Prohibits shipment or transportation of cigarettes, electronic cigarettes, or smokeless tobacco products to anyone within state unless a distributor or retailer. Requires face-to-face transactions for retail sale of tobacco products. Provides civil action enforcement authority to Attorney General. Allows execution of investigative demand by Attorney General for purposes of investigating violations of Act.

ISSUES DISCUSSED:

EFFECT OF COMMITTEE AMENDMENT: Proposed (-2) amendments remove electronic cigarettes from provisions of measure.

Proposed (-3) amendments clarifies that prohibition on shipment or transportation is limited to those engaged in the business of selling tobacco products. Clarifies prohibition does not apply to freight forward or motor carrier. Narrows focus to products purchased or ordered through mail, computer network, telephone network, or other electronic network. Specifies that recipient of product must be a distributor or retailer.

BACKGROUND: Under current Oregon law, all cigarettes and smokeless tobacco products sold by distributors and retailers must be listed on the Attorney General's directory of tobacco products. The directory, established in ORS 180.425, lists all tobacco product manufacturers who have current and accurate manufacturer certifications. Selling unlisted tobacco products is a Class A misdemeanor. Online sales of tobacco products may provide an avenue for unlisted products to reach consumers in Oregon.

Senate Bill 190 prohibits sending cigarettes, electronic cigarettes, and smokeless tobacco products to anyone within the state by anyone but a retailer or distributor. It also requires all retail sales to be face-to face transactions and gives enforcement and investigation authority to the Attorney General.