

**STAFF MEASURE SUMMARY****Senate Committee On Health Care****Fiscal:** Has minimal fiscal impact**Revenue:** No Revenue Impact**Action Date:** 04/01/15**Action:** Do Pass And Rescind Sub. Referral To Finance And Revenue And Requesting Referral To Ways And Means.**Meeting Dates:** 03/23, 03/30, 04/01**Vote:**

Yeas: 3 - Monnes Anderson, Shields, Steiner Hayward

Nays: 2 - Knopp, Kruse

**Prepared By:** Zena Rockowitz, Committee Administrator

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**WHAT THE MEASURE DOES:**

Requires smoke shops to pay fee adopted by Oregon Health Authority (OHA) by rule. Requires fees for application for certification, renewal every five years, transfer of certification or application for relocation. Specifies fees must be reasonably calculated. Creates effective date of January 1, 2016. Declares emergency, effective on passage.

**ISSUES DISCUSSED:**

- Oregon's smoke-free workplace laws
- Costs of certification funded by tobacco prevention and education
- Regulated businesses pay fees

**EFFECT OF COMMITTEE AMENDMENT:**

No amendment.

**BACKGROUND:**

The Oregon Health Authority (OHA) certifies smoke shops (ORS 433.847) and reports that 24 exist in Oregon. At the present time, smoke shops pay no fee to cover the costs of certification. Certification is renewed every five years. Smoke shops permit smoking on premises for the purpose of sampling tobacco products to allow customers to make retail decisions. Smoke shops must have at least 75 percent of gross revenue from tobacco products and smoking instruments, and are prohibited from selling food or beverages, providing gaming, or allowing anyone younger than 18 years from entering. Smoke shops must have maximum seating capacity of four people and must be a stand-alone business. Oregon's smoke-free workplace laws exist in most public places and workplaces, prohibiting smoking indoors and within 10 feet of windows and entrances, but do not apply to smoke shops.