

**PROPOSED AMENDMENTS TO  
A-ENGROSSED HOUSE BILL 2546**

1 On page 7 of the printed A-engrossed bill, after line 12, insert:

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3 **“(Amendments Effective on Passage)”**

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5 On page 8, line 9, delete “with the authority” and insert “by the Oregon  
6 Health Authority”.

7 On page 10, after line 34, insert:

8 “(e) The aerosolizing or vaporizing of inhalants that do not contain  
9 cannabinoids is permitted on the premises of a business that holds itself out  
10 to the public as being primarily engaged in the business of selling inhalant  
11 delivery systems, as defined in ORS 431.840, provided that the business:

12 “(A) Allows the aerosolizing or vaporizing of inhalant samples only for  
13 the purpose of making retail purchase decisions;

14 “(B) Does not allow the aerosolizing or vaporizing of inhalant samples  
15 that contain cannabinoids; and

16 “(C) Prohibits persons under 18 years of age from aerosolizing or  
17 vaporizing inhalant samples.”.

18 In line 35, delete “(e)” and insert “(f)”.

19 In line 41, delete “(f)” and insert “(g)”.

20 On page 11, after line 33, insert:

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22 **“(Amendments Operative January 1, 2017)”**

1       **“SECTION 20a.** ORS 433.850, as amended by section 18 of this 2015 Act,  
2 is amended to read:

3       “433.850. (1) An employer:

4       “(a) Shall provide for employees a place of employment that is free of all  
5 smoke, aerosols and vapors containing inhalants; and

6       “(b) May not allow employees to smoke, aerosolize or vaporize inhalants  
7 at the place of employment.

8       “(2) Notwithstanding subsection (1) of this section:

9       “(a) The owner or person in charge of a hotel or motel may designate up  
10 to 25 percent of the sleeping rooms of the hotel or motel as rooms in which  
11 the smoking, aerosolizing or vaporizing of inhalants is permitted.

12       “(b) Smoking of noncommercial tobacco products for ceremonial purposes  
13 is permitted in spaces designated for traditional ceremonies in accordance  
14 with the American Indian Religious Freedom Act, 42 U.S.C. 1996.

15       “(c) The smoking of tobacco products is permitted in a smoke shop.

16       “(d) The smoking of cigars is permitted in a cigar bar that generated on-  
17 site retail sales of cigars of at least \$5,000 for the calendar year ending De-  
18 cember 31, 2006.

19       “*[(e) The aerosolizing or vaporizing of inhalants that do not contain*  
20 *cannabinoids is permitted on the premises of a business that holds itself out*  
21 *to the public as being primarily engaged in the business of selling inhalant*  
22 *delivery systems, as defined in ORS 431.840, provided that the business:]*

23       “*[(A) Allows the aerosolizing or vaporizing of inhalant samples only for the*  
24 *purpose of making retail purchase decisions;]*

25       “*[(B) Does not allow the aerosolizing or vaporizing of inhalant samples that*  
26 *contain cannabinoids; and]*

27       “*[(C) Prohibits persons under 18 years of age from aerosolizing or*  
28 *vaporizing inhalant samples.]*

29       “*[(f)]* (e) A performer may smoke or carry a lighted smoking instrument  
30 that does not contain tobacco or marijuana, and may aerosolize or vaporize

1 a substance that does not contain nicotine or a cannabinoid, while perform-  
2 ing in a scripted stage, motion picture or television production if:

3 “(A) The production is produced by an organization whose primary pur-  
4 pose is producing scripted productions; and

5 “(B) The act of smoking, aerosolizing or vaporizing is an integral part of  
6 the production.

7 “[g] (f) The medical use of marijuana is permitted in the place of em-  
8 ployment of a licensee of a professional licensing board as described in ORS  
9 475.328.

10 “(3) An employer, except in those places described in subsection (2) of this  
11 section, shall post signs that provide notice of the provisions of ORS 433.835  
12 to 433.875.

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14 “(Applicability and Operative Dates)”.

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16 After line 36, insert:

17 “**SECTION 21a. The amendments to ORS 433.850 by section 20a of**  
18 **this 2015 Act become operative on January 1, 2017.”.**

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