

**SB 754 STAFF MEASURE SUMMARY**

**Senate Committee On Health Care**

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**Prepared By:** Oliver Droppers, LPRO Analyst

**Meeting Dates:** 2/14, 3/14

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**WHAT THE MEASURE DOES:**

Increases the minimum age from 18 to 21 years of age to purchase and possess tobacco and nicotine products. Establishes a set of fines for individuals or business that distributes or sells tobacco related products or an inhalant delivery system to persons under 21 years of age. Modifies statutory definition of cigarettes to include inhalant devices and products not approved by the United States Food and Drug Administration. Expands the types of facilities not permitted to allow a person under 21 years of age to possess tobacco or inhalant delivery systems when on facility grounds to include colleges, community colleges, universities, career schools or technical education schools. Applies to conduct occurring on or after January 1, 2018; declares emergency, effective on passage.

*REVENUE: Revenue impact issued.*

*FISCAL: Fiscal impact issued.*

**ISSUES DISCUSSED:**

- Rates of smoking initiation and tobacco use among adolescents and teens in Oregon
- Concerns among small business owners of a potential decline in revenue and whether employees between 18-20 years of age would be able to continue working in retail stores that sell tobacco and inhalant delivery systems
- Economic impact of smoking, associated health care costs and public health concerns related to tobacco use in Oregon
- Role of non-tobacco nicotine products (i.e. inhalant delivery systems such as e-cigarettes) as nicotine replacement options and substitute for smoking cigarettes

**EFFECT OF AMENDMENT:**

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- Decreases the dollar amount of fines incurred by individuals who own or manage businesses that violate the law by selling tobacco products or inhalant delivery systems to persons under 21 years of age.
- Maintains current law for enforcement of minors in possession of tobacco products and inhalant delivery systems.

**BACKGROUND:**

Tobacco use is the number one preventable cause of death and disease in Oregon, resulting in 7,000 deaths, annually, costing Oregonians \$2.5 billion a year in medical expenditures and lost productivity due to premature death. Ninety percent of smokers start smoking before the age of 18. According to Oregon Public Health Division, in 2013, 10 percent of Oregon's 11th grade students smoke cigarettes, and approximately 20 percent use other tobacco products.

Two states (California and Hawaii) and a number of local governments have raised the minimum tobacco age to 21 years. The policy seeks to lower initiation rates among adolescents and young adults. Senate Bill 754 raises the legal age to purchase and consume tobacco or inhalant delivery systems to 21 years of age.