



March 27, 2017

TO: The Honorable Ann Lininger, Chair
House Committee on Economic Development and Trade

FROM: Karen Girard, Manager
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Public Health Division
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SUBJECT: House Bill 2736, Alcohol Consumption in Certified Smoke Shops

Chair Lininger and members of the committee, my name is Karen Girard and I am the Health Promotion and Chronic Disease Prevention Section Manager for the Oregon Health Authority. I am here today to provide information related to HB 2736, concerning the allowance of on-premises consumption of alcoholic beverages at smoke shops certified by the Oregon Health Authority.

Oregon's Indoor Clean Air Act (ICAA) protects nearly every Oregon employee from the health risks of secondhand smoke by prohibiting smoking in most public places and workplaces. There are a few exceptions that continue to expose Oregonians to secondhand smoke. Exemptions to the law include certified smoke shops and cigar bars.

HB 2736 would amend the ICAA to allow for the consumption of alcoholic beverages at smoke shops certified by the Oregon Health Authority. Currently, the Oregon Health Authority has certified 24 smoke shops, as defined by ORS 433.847. According to statute, one of the requirements for becoming a certified smoke shop is that the business "allows smoking of tobacco product samples only for the purpose of making retail purchase decisions." Thus, smoke shops allow the customer to sample tobacco to determine what tobacco product they would like to purchase, which is unrelated to the consumption of alcohol.

Currently, it is only legal to smoke cigars (only) and consume alcohol on the same premises in 10 cigar bars, which were grandfathered in when the ICAA passed in 2007. Allowing consumption of alcoholic beverages in smoke shops expands the places where people can smoke tobacco and drink alcohol in the same commercial establishment. The ICAA explicitly prohibited smoking in bars, with the sole exemption being the existing cigar bars, and erodes social norms that have been changed by Indoor Clean Air legislation all over the country.

Exposure to secondhand smoke continues to affect Oregonians. In 2015, an estimated 544,000 Oregonians reported that they are exposed to secondhand smoke indoors. In Oregon, more than three quarters of a million people use tobacco, including more than half a million who smoke cigarettes.

Administering and enforcing Oregon's Indoor Clean Air Act contributes to the Public Health Division's mission of promoting health and preventing the leading causes of death, disease and injury.

Thank you for the opportunity to testify today. I am happy to answer any questions you might have.