

SB 235-A6: Tobacco Retail License Overview

Problem – it is too easy for youth to get access to tobacco products

- Tobacco is the number one cause of preventable death and chronic disease in Oregon.
- In 2013, Oregon had the highest rates of illegal tobacco sales to minors in the nation putting Oregon's SAMHSA Grant at risk.
- Kids who start using tobacco don't realize how hard it is to quit: According to the Surgeon General, nearly 90% percent of smoking adults began before age 18.
- Oregon is one of eight states that does not currently have a tobacco retail license system.
- The Department of Revenue currently licenses tobacco distributors and tobacco wholesalers to ensure tax compliance. Oregon currently does not know how many retailers are selling tobacco and vapor products (which do not have a tax) or where those retailers are located.

Solution – Require all tobacco and vapor product retailers to carry a license to sell nicotine products issued by the Department of Revenue

- A tobacco retail licensing program would help to ensure compliance with current tobacco-related laws statewide.
- A Tobacco Retail License would provide funding for education and training of retailers and compliance checks to ensure youth prevention laws are being followed.
- According to Center for Disease Control and Prevention's (CDC) 2014 Best Practices for Comprehensive Tobacco Control Programs, state and community interventions for preventing tobacco use among youth includes: "stronger local laws directed at retailers, active enforcement of retailer sales laws, and retailer education and reinforcement".
- Stores have been shown to be more vigilant about verifying ages while selling cigarettes when illegal sales could result in a license suspension or revocation. (*Ian McLaughlin, Tobacco Control Legal Consortium, License to Kill?: Tobacco Retailer Licensing as an Effective Enforcement Took (2010)*)

We urge your support of the –A6 amendment to SB 235A: Children First for Oregon, Multnomah County, American Lung Association, Children's Health Alliance, American Cancer Society - Cancer Action Network, Coalition of Local Health Officials, Healthy Kids Learn Better, League of Women Voters of Oregon, Oregon AFSCME Council 75, Oregon Latino Health Coalition, Oregon Nurses Association, Oregon Medical Association,

What does SB 235-A6 do? Ensures statewide compliance while building off of good work happening in several Counties and Cities across Oregon. Here is the role of each agency and local jurisdictions outlined in SB 235-A6:

Department of Revenue-- SB 235-A6 would require all tobacco, and nicotine, retailers to have a license to sell tobacco and nicotine products issued by the Department of Revenue (DOR). This one license would help retailers with multiple locations go to one place and get multiple licenses. The DOR would be responsible for issuing licenses and suspending or revoking the license.

Oregon Health Authority (OHA) – The Oregon Health Authority would be responsible for ensuring statewide implementation and provide oversight and training of local public health authorities. Information sharing between each state agency and local jurisdictions would help ensure that retailers were not over-inspected and there was great coordination between the three major players involved. OHA would also assess state and local retail activities to assure effectiveness of the program.

Local Public Health Authorities – Are responsible for the on the ground implementation, providing education and training to retailers about current and new regulations and ensuring compliance checks. Tobacco Retail License (TRL) also gives local communities more data to build and develop strong local ordinances addressing local concerns. For example, both Benton County and Lane County's TRL includes restrictions on new retailers being located near schools.

Since 2013 Multnomah and Lane County and several cities within Lane County have enacted local Tobacco Retail Licensure and Oregon's youth sales to minors has decreased. Oregon must continue this important work by expanding TRL to ensure that all kids are protected and communities are served by this important policy.

