

**SB 1577 -1, -4, -5, -6, -8 STAFF MEASURE SUMMARY**

**Senate Committee On Health Care**

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**Prepared By:** Brian Nieuburt, LPRO Analyst

**Meeting Dates:** 2/6

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**WHAT THE MEASURE DOES:**

Prohibits distribution, sale, or allowance of sale of inhalant delivery system products. Defines "characterizing flavor," "flavored inhalant delivery system product," and "inhalant delivery system." Authorizes the Oregon Health Authority to impose a civil monetary penalty of up to \$5,000. Takes effect of 91st day following adjournment sine die.

**ISSUES DISCUSSED:**

**EFFECT OF AMENDMENT:**

-1 Prohibits the sale of tobacco products or inhalant delivery systems unless the location of sale is licensed. Defines qualifications the Department of Revenue (Department) must consider in issuing retail licensure. Defines circumstances in which the Department may revoke, suspend, or refuse to renew or issue a retail license. Defines civil penalties applicable to persons who engage in retail sale without licensure. Allows seizure of contraband tobacco products by the Department or law enforcement agencies. Requires the Department and Oregon Health Authority to adopt rules.

-4 Clarifies definitions of "characterizing flavor;" "flavored inhalant delivery system product;" and "inhalant delivery system." Removes requirement that Oregon Health Authority rules for inspection be consistent with federal laws and regulations.

-5 Clarifies that sale or distribution of flavored inhalant delivery system products shall be limited to establishments in which entry is prohibited to persons under 21 years of age.

-6 Clarifies definition "characterizing flavor;" "flavored inhalant delivery system product;" and "inhalant delivery system."

-8 Adds definition of "cannabis" Updates definition of "characterizing flavor" to include cannabis and terpenes or terpenoids derived from cannabis. Requires the Oregon Health Authority, State Department of Agriculture, and the Oregon Liquor Control Commission to adopt rules regarding the labeling of inhalant delivery systems that contain cannabis and specifies requirements.

**BACKGROUND:**

According to the Centers for Disease Control, as of January 21, 2020, a total of 2,711 hospitalized e-cigarette, or vaping, product use-associated lung injury cases or deaths have been reported. This total includes 60 deaths, two of which were in Oregon.