

SB 587-5
(LC 1064)
3/15/21 (SCT/ps)

Requested by Senator TAYLOR

**PROPOSED AMENDMENTS TO
SENATE BILL 587**

1 On page 1 of the printed bill, delete line 22 and insert “or otherwise au-
2 thorized under section 5 or 18 of this 2021 Act.”.

3 On page 2, line 6, after “(1)” insert “Except as provided in subsection (8)
4 of this section.”.

5 Delete lines 37 through 39 and insert:

6 “(8) The department may not require a person that makes retail sales of
7 tobacco products or inhalant delivery systems to obtain a license under this
8 section if the person holds a license or other authorization issued by a city
9 or local public health authority pursuant to section 18 of this 2021 Act.

10 **“SECTION 6. Proof of licensure. A person to which a license or
11 other authorization has been issued under section 5 or 18 of this 2021
12 Act must post proof of licensure or other authorization in a clear and
13 conspicuous place at the premises for which the license or other au-
14 thorization has been issued.”.**

15 On page 4, delete lines 31 through 45 and insert:

16 **“SECTION 13. Intergovernmental agreements. (1) The Department
17 of Revenue and the Oregon Health Authority shall:**

18 **“(a) Share information necessary for the effective administration
19 of sections 1 to 14 and 17 of this 2021 Act and ORS 431A.175 and
20 431A.183; and**

21 **“(b) Enter into an agreement for purposes of collecting fee moneys**

1 for the authority pursuant to section 12 of this 2021 Act from each
2 retailer of tobacco products or inhalant delivery systems at the same
3 time that the department collects fee moneys from the retailer under
4 section 5 of this 2021 Act, and transferring the fee moneys collected
5 pursuant to section 12 of this 2021 Act to the authority for deposit in
6 the Oregon Health Authority Fund established under ORS 413.101.

7 “(2) The department and each local public health authority that
8 does not require licensure or other authorization pursuant to section
9 18 of this 2021 Act shall:

10 “(a) Share information necessary for the effective administration
11 of sections 1 to 14 and 17 of this 2021 Act; and

12 “(b) Enter into an agreement for purposes of collecting any fee
13 moneys for the local public health authority pursuant to section 17 of
14 this 2021 Act from each retailer of tobacco products or inhalant deliv-
15 ery systems located within the area over which the local public health
16 authority has jurisdiction at the same time that the department col-
17 lects fee moneys from the retailer under section 5 of this 2021 Act, and
18 transferring the fee moneys collected pursuant to section 17 of this
19 2021 Act to the local public health authority for deposit in a fund of
20 the local public health authority.

21 “(3) The department and each city or local public health authority
22 that requires licensure or other authorization pursuant to section 18
23 of this 2021 Act shall:

24 “(a) Share information necessary for the effective administration
25 of the licensure or other authorization pursuant to section 18 of this
26 2021 Act and ORS 323.005 to 323.482, 323.500 to 323.645 and 323.700 to
27 323.730 and any rules adopted under ORS 323.005 to 323.482, 323.500 to
28 323.645 or 323.700 to 323.730; and

29 “(b) Enter into an agreement under which the city or local public
30 health authority agrees to enforce standards described in section 17

1 **(2)(a) of this 2021 Act against persons licensed or otherwise authorized**
2 **by the city or local public health authority under section 18 of this 2021**
3 **Act, including through revocation of the license or other authorization**
4 **of a person that violates the standards or ORS 323.005 to 323.482, 323.500**
5 **to 323.645 and 323.700 to 323.730 and any rules adopted under ORS**
6 **323.005 to 323.482, 323.500 to 323.645 or 323.700 to 323.730.**

7 **“(4) The Oregon Health Authority and each local public health au-**
8 **thority shall share information necessary for the effective adminis-**
9 **tration of sections 1 to 14 and 17 of this 2021 Act and ORS 431A.175 and**
10 **431A.183.**

11 **“(5) Notwithstanding the confidentiality provisions of ORS 323.403**
12 **and 323.595, the department may disclose information received under**
13 **ORS 323.005 to 323.482 and 323.500 to 323.645 to a city or local public**
14 **health authority to the extent the department deems necessary.”.**

15 On page 5, delete lines 1 through 8.

16 On page 7, line 10, after the period insert “Local regulation.”.

17 On page 8, line 4, after “(a)” insert “Subject to section 18 of this 2021
18 Act,”.

19 After line 22, insert:

20 **“(7) Except as provided in section 18 of this 2021 Act, a city or local**
21 **public health authority may not require a person that makes retail sales of**
22 **tobacco products or inhalant delivery systems to hold a license or other au-**
23 **thorization issued by the city or local public health authority in addition to**
24 **the license issued under section 5 of this 2021 Act.**

25 **“SECTION 18. Continuity. A city or local public health authority**
26 **that, on or before January 1, 2021, and pursuant to an ordinance**
27 **adopted by the governing body of the city or local public health au-**
28 **thority, enforced standards described in section 17 (2)(a) of this 2021**
29 **Act and required that a person that makes retail sales of tobacco**
30 **products or inhalant delivery systems in an area subject to the juris-**

1 **diction of the city or local public health authority hold a license or**
2 **other authorization issued by the city or local public health authority**
3 **may continue to enforce the standards and require the license or other**
4 **authorization on and after the operative date specified in section 22**
5 **of this 2021 Act.”.**

6 In line 26, delete “18” and insert “19”.

7 Delete lines 28 through 34 and insert:

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9 **“APPLICABILITY”.**

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11 On page 9, line 3, delete “18” and insert “19”.

12 In line 11, delete “18” and insert “19”.

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