

HB 2528 A STAFF MEASURE SUMMARY

House Committee On Commerce and Consumer Protection

Action Date: 04/08/25

Action: Without recommendation as to passage, with amendments. Refer to Revenue, then to Ways and Means by prior reference. (Printed A-Eng.)

Vote: 6-3-1-0

Yeas: 6 - Chaichi, Chotzen, Gomberg, Neron, Sosa, Walters

Nays: 3 - Osborne, Reschke, Wallan

Exc: 1 - Cate

Fiscal: Fiscal impact issued

Revenue: Revenue impact issued

Prepared By: Andrew Hendrie, LPRO Analyst

Meeting Dates: 2/27, 4/8

WHAT THE MEASURE DOES:

The measure adds nicotine derived from any sources to the definitions of inhalant delivery system and tobacco products. The measure repeals the criminal prohibition of sales to those under 21 and replaces it with a civil prohibition enforced by the Oregon Health Authority (OHA) as of October 1, 2025. It prohibits the distribution, offering, or providing, without compensation, of inhalant delivery systems or tobacco products. The measure allows the OHA to adopt rules for the regulation of tobacco and inhalant delivery system sales. It requires any sale of cigarettes, inhalant delivery systems, or smokeless tobacco products to occur at licensed premises. The measure takes effect on 91st day following adjournment sine die and establishes an operative date for broadening the meaning of tobacco products for taxation purposes as of January 1, 2027.

ISSUES DISCUSSED:

- Provisions of the measure

EFFECT OF AMENDMENT:

The amendment replaces the broad rule making authority in the bill so that the Oregon Health Authority may adopt rules necessary for the regulation of tobacco and inhalant delivery system sales. It establishes the operative date for broadening the meaning of tobacco products for taxation purposes as of January 1, 2027, and authorizes the Department of Revenue to take action before the operative date to enable it to exercise the relevant amendments.

BACKGROUND:

Senate Bill 754 (2017) raised the required minimum age for a person to legally buy or obtain tobacco products, inhalant delivery systems, and tobacco product devices, from 18 to 21.

The Oregon Health Authority's mission is ensuring all people and communities can achieve optimum physical, mental, and social well-being through partnerships, prevention, and access to quality, affordable health care.

An oral nicotine pouch is a small bag that contains nicotine and some other ingredients, but it does not contain tobacco leaf. Nicotine lozenges look like small hard candies and as they dissolve, the nicotine is absorbed by the mouth.