

COMMITTEE AMENDMENT
HOUSE OF REPRESENTATIVES
State of Oklahoma

SPEAKER:

CHAIR:

I move to amend HB2165 _____
Of the printed Bill
Page _____ Section _____ Lines _____
Of the Engrossed Bill

By striking the Title, the Enacting Clause, the entire bill, and by inserting in lieu thereof the following language:

AMEND TITLE TO CONFORM TO AMENDMENTS

Adopted: _____

Amendment submitted by: Cynthia Roe _____

Reading Clerk

1 STATE OF OKLAHOMA

2 1st Session of the 59th Legislature (2023)

3 PROPOSED COMMITTEE
4 SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 2165

By: Roe

7 PROPOSED COMMITTEE SUBSTITUTE

8 An Act relating to children; amending 10A O.S. 2021,
9 Section 2-8-224, as amended by Section 1, Chapter
10 261, O.S.L. 2022 (10A O.S. Supp. 2022, Section 2-8-
11 224), which relates to tobacco products; permitting
12 cities and towns to enact ordinances; authorizing
13 police officers to enforce ordinances; setting fine
14 amounts; requiring violator to attend program or
15 class; authorizing court to make referrals; and
16 providing an effective date.

16 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

17 SECTION 1. AMENDATORY 10A O.S. 2021, Section 2-8-224, as
18 amended by Section 1, Chapter 261, O.S.L. 2022 (10A O.S. Supp. 2022,
19 Section 2-8-224), is amended to read as follows:

20 Section 2-8-224. A. It is unlawful for a person who is under
21 twenty-one (21) years of age to purchase, receive, or have in his or
22 her possession a tobacco product, nicotine product or vapor product,
23 or to present or offer to any person any purported proof of age
24 which is false or fraudulent, for the purpose of purchasing or

1 receiving any tobacco product, nicotine product or vapor product.
2 It shall not be unlawful for an employee under twenty-one (21) years
3 of age to handle tobacco products, nicotine products or vapor
4 products when required in the performance of the employee's duties.

5 B. When a person violates subsection A of this section, the
6 Alcoholic Beverage Laws Enforcement (ABLE) Commission shall require
7 the violator to complete an education or tobacco use cessation
8 program approved by the State Department of Health unless a court
9 has ordered the violator to attend an educational program or class
10 pursuant to subsection D of this section.

11 C. The ABLE Commission shall establish rules to provide for
12 notification to a parent or guardian of any minor cited for a
13 violation of this section.

14 D. Cities and towns may enact and municipal police officers may
15 enforce ordinances prohibiting and penalizing conduct in violation
16 of subsection A of this section. A fine imposed pursuant to this
17 subsection shall not exceed Fifty Dollars (\$50.00) for a first
18 offense or One Hundred Dollars (\$100.00) for subsequent offenses,
19 and the violator shall be required to attend an educational program
20 or class to deter the unlawful conduct pursuant to subsection B of
21 this section or an alternative program as determined by the court.
22 The court may make referrals if services are needed by the violator
23 and may require other community service, services for the violator,
24

1 or additional programs or classes as determined by the court to meet
2 the needs of the violator.

3 E. For the purposes of this section, the term "vapor products"
4 shall have the same meaning as provided in the Prevention of Youth
5 Access to Tobacco Act.

6 SECTION 2. This act shall become effective November 1, 2023.

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8 59-1-7229 CMA 02/10/23
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