

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; setting fine
12 amounts; requiring violator to attend program or
13 class; permitting cities and towns to enact
14 ordinances; authorizing police officers to enforce
15 ordinances; and 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
receiving any tobacco product, nicotine product or vapor product.

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

4 B. When a person violates subsection A of this section, ~~the~~
5 ~~Alcoholic Beverage Laws Enforcement (ABLE) Commission shall require~~
6 the violator ~~to~~ shall complete an education or tobacco use cessation
7 program approved by the ~~State Department of Health~~ court. If the
8 violator fails to complete the tobacco use cessation program ordered
9 by the court, a fine may be imposed that shall not exceed Fifty
10 Dollars (\$50.00) for a first offense or One Hundred Dollars
11 (\$100.00) for subsequent offenses. The violator may also be
12 required to complete a community service program or other
13 appropriate programs or services as ordered by the court. The court
14 shall have jurisdiction over the violator for twelve (12) months
15 following sentencing to ensure all programs and orders of the court
16 are followed.

17 C. The ABLE Commission shall establish rules to provide for
18 notification to a parent or guardian of any minor cited for a
19 violation of this section.

20 D. Cities and towns may enact and municipal police officers may
21 enforce ordinances prohibiting and penalizing conduct in violation
22 of this section.

23
24

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

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

5
6 59-1-7693 CMA 02/23/23

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24