

FLOOR AMENDMENT

HOUSE OF REPRESENTATIVES

State of Oklahoma

SPEAKER:

CHAIR:

I move to amend SB1602 \_\_\_\_\_  
 \_\_\_\_\_ Of the printed Bill  
 Page \_\_\_\_\_ Section \_\_\_\_\_ Lines \_\_\_\_\_  
 \_\_\_\_\_ Of the Engrossed Bill

By deleting Section 3 in its entirety and by replacing in lieu thereof the following Section 3:

"SECTION 3. AMENDATORY 37 O.S. 2011, Section 600.2, is amended to read as follows:

Section 600.2 As used in the Prevention of Youth Access to Tobacco Act:

1. "Person" means any individual, firm, fiduciary, partnership, corporation, trust, or association, however formed;
2. "Proof of age" means a driver license, license for identification only, or other generally accepted means of identification that describes the individual as eighteen (18) years of age or older and contains a photograph or other likeness of the individual and appears on its face to be valid;

AMEND TITLE TO CONFORM TO AMENDMENTS

Adopted: \_\_\_\_\_ Amendment submitted by: Doug Cox \_\_\_\_\_

\_\_\_\_\_  
Reading Clerk

3. "Sample" means a tobacco product or vapor product distributed to members of the public at no cost for the purpose of promoting the product;

4. "Sampling" means the distribution of samples to members of the public in a public place;

5. "Tobacco product" means any product that contains tobacco and is intended for human consumption, but does not include vapor products. Provided, that if the United States Food and Drug Administration enacts a final rule regulating as a tobacco product any product that falls within the definition of vapor product, as such term is defined in this act, such vapor product shall be considered a tobacco product for the purposes of this act as of the effective date of the final rule. Provided, further, nothing in this act shall at any time subject any vapor product to taxation under Section 301 et seq. or 401 et seq. of Title 68 of the Oklahoma Statutes unless specifically provided in such acts;

6. "Transaction scan" means the process by which a seller checks, by means of a transaction scan device, the validity of a driver license or other government-issued photo identification; ~~and~~

7. "Transaction scan device" means any commercial device or combination of devices used at a point of sale or entry that is capable of deciphering in an electronically readable format the information encoded on the magnetic strip or bar code of a driver license or other government-issued photo identification; and

8. "Vapor product" shall mean any product containing or delivering nicotine or any other similar substances intended for human consumption that can be used by a person to simulate smoking through inhalation of vapor or aerosol from the product. "Vapor product" includes any component

part of such product whether or not sold separately and does not include any product that has been approved by the United States Food and Drug Administration for sale as a tobacco cessation product and is being marketed and sold solely for the approved purpose."

54-2-10829

AM

04/08/14