
A BILL FOR AN ACT

RELATING TO SMOKING.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Chapter 328J, Hawaii Revised Statutes, is
2 amended by adding a new section to be appropriately designated
3 and to read as follows:

4 "§328J- Prohibition on lanais, balconies, terraces, or
5 patios. Smoking shall be prohibited on any open or partially
6 enclosed lanai, balcony, terrace, or patio of any multifamily
7 dwelling and other multiple-unit residential facility, including
8 condominiums and apartment buildings."

9 SECTION 2. Section 328J-3, Hawaii Revised Statutes, is
10 amended to read as follows:

11 "~~[+]§328J-3[+]~~ Prohibition in enclosed or partially
12 enclosed places open to the public. Smoking shall be prohibited
13 in all enclosed or partially enclosed areas open to the public,
14 including but not limited to the following places:

15 (1) Airports and public transportation facilities and
16 vehicles [~~, including buses and taxicabs,~~] under the
17 authority of the State or county, ~~[and]~~ including:

18 (A) Buses and taxicabs;



- 1 (B) [~~ticket,~~] Ticket, boarding, and waiting areas of
2 public transit depots, including unenclosed bus
3 stops; and
- 4 (C) [~~including airports~~] Airports from curb to cabin
5 and including all areas within and immediately in
6 front of and adjacent to passenger terminals and
7 pick-up areas, throughout the airport facility,
8 and up to the passenger loading gates of all
9 state airports;
- 10 (2) Aquariums, galleries, libraries, and museums;
- 11 (3) Areas available to and customarily used by the general
12 public, including but not limited to restrooms,
13 lobbies, reception areas, hallways, and other common
14 areas, in businesses and nonprofit entities patronized
15 by the public, including but not limited to
16 professional offices, banks, laundromats, hotels, and
17 motels;
- 18 (4) Bars;
- 19 (5) Bowling alleys;
- 20 (6) Convention facilities;
- 21 (7) Educational facilities, both public and private;
- 22 (8) Elevators;



- 1 (9) Facilities primarily used for exhibiting a motion
- 2 picture, stage, drama, lecture, musical recital, or
- 3 other similar performance, except when part of the
- 4 performance;
- 5 (10) Health care facilities;
- 6 (11) Hotel and motel lobbies, meeting rooms, and banquet
- 7 facilities;
- 8 (12) Licensed child care and adult day care facilities;
- 9 (13) Lobbies, hallways, and other common areas in apartment
- 10 buildings, condominiums, retirement facilities,
- 11 nursing homes, multifamily dwellings, and other
- 12 multiple-unit residential facilities;
- 13 (14) Nightclubs;
- 14 (15) Polling places;
- 15 (16) Restaurants;
- 16 (17) Retail stores;
- 17 (18) Rooms, chambers, places of meeting or public assembly
- 18 under the control of an agency, board, commission,
- 19 committee or council of the State or county, to the
- 20 extent the place is subject to the jurisdiction of the
- 21 State or county;
- 22 (19) Service lines; and



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1 (20) Shopping malls."

2 SECTION 3. Statutory material to be repealed is bracketed
3 and stricken. New statutory material is underscored.

4 SECTION 4. This Act shall take effect upon its approval.

5

INTRODUCED BY:

Calvin L. Say

By Request

JAN 20 2012



H.B. NO. 2180

Report Title:

Smoking; Prohibition; Bus Stops; Lanais

Description:

Prohibits smoking at bus stops and on lanais of multi-family residential dwellings.

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