
A BILL FOR AN ACT

RELATING TO THE USE OF TOBACCO AND E-CIGARETTES ON HAWAII HEALTH SYSTEMS CORPORATION PREMISES.

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

1 SECTION 1. The legislature finds that the health
2 facilities within the Hawaii health systems corporation are
3 committed to providing quality health care for the people of
4 Hawaii and are taking steps to reduce the occurrence of
5 preventable disease. Consistent with this commitment, the
6 corporation should prohibit the use of tobacco and other
7 potentially dangerous substances on the campuses of its health
8 facilities, as allowing such use would not only expose
9 vulnerable patients, employees, and visitors to the perils of
10 harmful substances, but would also demonstrate a shortcoming in
11 the corporation's goal of reducing the occurrence of preventable
12 disease.

13 The purpose of this Act is to:

14 (1) Protect patients, employees, and visitors in the
15 health facilities of the Hawaii health systems
16 corporation from exposure to second-hand smoke and
17 other potentially harmful substances;



1 (2) Promote positive health practices by prohibiting any
2 person from using tobacco products or e-cigarettes on
3 the premises of any Hawaii health systems corporation
4 health facility; and

5 (3) Make tobacco-cessation programs available to public
6 health facility employees.

7 SECTION 2. Chapter 323F, Hawaii Revised Statutes, is
8 amended by adding a new section to be appropriately designated
9 and to read as follows:

10 "§323F- Tobacco and e-cigarette use prohibited. (a)

11 Notwithstanding any provision to the contrary in chapter 328J,
12 the use of any tobacco product or e-cigarette by any person on
13 the premises of any health facility operated by the corporation
14 within the State is prohibited, to the extent not preempted by
15 federal law or regulation.

16 (b) The corporation shall provide tobacco cessation
17 programs for public employees who are interested in
18 participating at the corporation's health facilities.

19 (c) The corporation shall be responsible for educating all
20 health facility personnel, contractors, patients, and all other
21 visitors to the corporation's health facilities regarding the
22 prohibitions under this section. The corporation shall



1 prominently display signs stating that "tobacco and e-cigarette
2 use is prohibited" at all entrances to the corporation's health
3 facilities and at other conspicuous locations throughout the
4 outdoor premises of each health facility.

5 (d) For the purposes of this section:

6 "E-cigarette" means any electronic oral device, such as one
7 composed of a heating element, battery, or electronic circuit,
8 or more than one of these, which provides a vapor of nicotine or
9 any other substance for inhalation. The term shall include any
10 such device, whether manufactured, distributed, marketed, or
11 sold as an e-cigarette, e-cigar, e-pipe, or under any other
12 product name or descriptor, but does not include any product
13 specifically approved by the United States Food and Drug
14 Administration for use in medical treatment, such as an asthma
15 inhaler.

16 "Premises" means all indoor and outdoor areas within the
17 State-designated property boundary lines of each of the
18 corporation's health facilities and shall include all employee
19 and visitor parking lots.

20 "Tobacco or e-cigarette use" does not include mere
21 possession or storage of the same for use in locations outside
22 the premises of the corporation's health facilities.



1 "Tobacco product" means any substance containing tobacco
2 leaf including, but not limited to, cigarettes, cigars, pipe
3 tobacco, hookah tobacco, snuff, chewing tobacco, dipping
4 tobacco, bidis, blunts, clove cigarettes, or any other
5 preparations of tobacco; and any product or formulation of
6 matter containing biologically active amounts of nicotine that
7 is manufactured, sold, offered for sale, or otherwise
8 distributed with the expectation that the product or matter will
9 be introduced into the human body. "Tobacco product" does not
10 include any cessation product specifically approved by the
11 United States Food and Drug Administration for the sole use of
12 treating nicotine or tobacco dependence."

13 SECTION 3. New statutory material is underscored.

14 SECTION 4. This Act shall take effect on July 1, 2050.



Report Title:

Tobacco; E-cigarettes; Hawaii Health Systems Corporation
Premises; Prohibited Use

Description:

Prohibits the use of tobacco products and e-cigarettes on Hawaii
Health Systems Corporation health facilities. Effective July 1,
2050. (HB2313 HD1)

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not legislation or evidence of legislative intent.*

