

STAND. COM. REP. NO.

1179

Honolulu, Hawaii

March 27, 2015

RE: S.B. No. 802  
S.D. 2  
H.D. 1

Honorable Joseph M. Souki  
Speaker, House of Representatives  
Twenty-Eighth State Legislature  
Regular Session of 2015  
State of Hawaii

Sir:

Your Committee on Health, to which was referred S.B. No. 802, S.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO SMOKING,"

begs leave to report as follows:

The purpose of this measure is to allow condominiums and cooperative housing corporations to adopt rules prohibiting smoking in units, common elements, or limited common elements.

The Department of Health, Coalition for a Tobacco Free Hawaii, Wavecrest AOA, and an individual testified in support of this measure. The Hawaii Chapter of the Community Associations Institute, Hawaii Smokers Alliance, and numerous individuals testified in opposition to this measure.

Your Committee has amended this measure by:

- (1) Clarifying that the board of directors of a cooperative housing corporation or condominium association, rather than the cooperative housing corporation or condominium association itself, may adopt rules to prohibit smoking;
- (2) Removing the authority of a condominium or cooperative housing corporation to adopt rules prohibiting smoking in individual dwelling units;

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- (3) Authorizing the boards of directors of condominiums or cooperative housing corporations to adopt rules banning smoking on the lanais of individual dwelling units; and
- (4) Changing its effective date to July 1, 2112, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 802, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 802, S.D. 2, H.D. 1, and be referred to the Committee on Consumer Protection & Commerce.

Respectfully submitted on  
behalf of the members of the  
Committee on Health,



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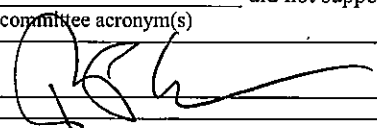
DELLA AU BELATTI, Chair



HSCR 1179

State of Hawaii  
House of Representatives  
The Twenty-eighth Legislature

Record of Votes of the Committee on Health

Bill/Resolution No.: SB802 SDA	Committee Referral: HLT, CPC	Date: 03/25/2015		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
HLT Members	Ayes	Ayes (WR)	Nays	Excused
1. BELATTI, Della Au (C)	✓			
2. CREAGAN, Richard P. (VC)	✓			
3. HASHEM, Mark J.	✓			
4. JORDAN, Jo	✓			
5. KOBAYASHI, Bertrand	✓			
6. MORIKAWA, Dee	✓			
7. OSHIRO, Marcus R.	✓			
8. FUKUMOTO CHANG, Beth	✓			
9. TUPOLA, Andria P.L.				✓
TOTAL (9)	8			1
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ committee acronym(s) did not support recommendation.				
Vice Chair's or designee's signature: _____ 				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				