

Honolulu, Hawaii

February 9, 2018

RE: H.B. No. 2158

H.D. 1

Honorable Scott K. Saiki  
Speaker, House of Representatives  
Twenty-Ninth State Legislature  
Regular Session of 2018  
State of Hawaii

Sir:

Your Committee on Health & Human Services, to which was referred H.B. No. 2158 entitled:

"A BILL FOR AN ACT RELATING TO TOBACCO,"

begs leave to report as follows:

The purpose of this measure is to reduce youth's use of tobacco products and electronic smoking devices by reducing access and exposure to these products by:

- (1) Prohibiting the issuance of retail tobacco permits to places of business within seven hundred fifty feet of a school, public park, or public housing project or complex; and
- (2) Making it unlawful for any person to sell tobacco products and smoking devices within those areas.

The Hawaii Public Housing Authority, Hawaii Public Health Association, Blue Zones Project, Coalition for a Tobacco-Free Hawaii, American Heart Association, Hawaii Public Health Institute, Vince Yamashiroya, MD, Inc., and a few concerned individuals supported this measure. Hawaii Food Industry Association, Aloha Petroleum Ltd., Retail Merchants of Hawaii, Volcano Fine Electronic Cigarettes, Cigar Rights of America, Vape Hawaii, Hawaii Smokers Alliance, Smokeless Hawaii, Island Vapor,



and numerous concerned individuals opposed this measure. The Department of Taxation and Department of Health provided comments.

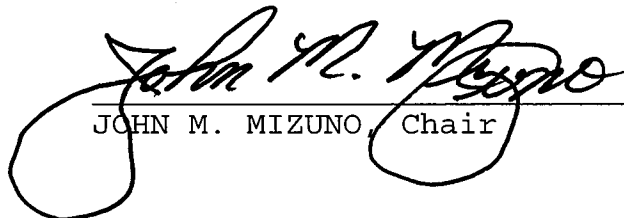
Your Committee notes the concerns raised regarding the legality and enforceability of the amendments proposed by this measure, and respectfully requests that the Department of the Attorney General provide comments to your Committee on Consumer Protection & Commerce on this measure.

Your Committee has amended this measure by:

- (1) Specifying that tobacco retail permits issued for places of business that are located within seven hundred fifty feet of a school, public park, or public housing shall be void; and
- (2) Changing the effective date to July 1, 3000, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Health & Human Services that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2158, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2158, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Respectfully submitted on  
behalf of the members of the  
Committee on Health & Human  
Services,

  
JOHN M. MIZUNO, Chair



