

Honolulu, Hawaii
February 8, 2018

RE: H.B. No. 2723
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 Energy & Environmental Protection, to which was referred H.B. No. 2723 entitled:

"A BILL FOR AN ACT RELATING TO PRESERVING CORAL REEFS,"

begs leave to report as follows:

The purpose of this measure is to protect Hawaii's coral reefs without compromising the ability of Hawaii residents and visitors to protect themselves from sunburns and damage caused by harmful ultraviolet A and ultraviolet B rays. Specifically, this measure prohibits:

- (1) The sale of sunscreens containing oxybenzone beginning January 1, 2023, unless the sunscreen is a prescription drug; and
- (2) The counties from further banning or otherwise regulating products containing oxybenzone or other ingredients approved by the United States Food and Drug Administration (FDA).

The Department of Health, two County of Hawaii Councilmembers, Oahu County Committee on Legislative Priorities of the Democratic Party of Hawaii, Sierra Club of Hawaii, Aqua-Aston Hospitality, LLC, Bayer, Hawaiian Civic Club of Honolulu, Mauna Mama Kona Coffee, and numerous individuals testified in support of



this measure. The Hawaii Food Industry Association, Consumer Healthcare Products Association, Retail Merchants of Hawaii, Personal Care Products Council, Pacific Boats & Yachts LLC, and one individual testified in opposition. The Department of Land and Natural Resources, Hawaii Reef and Ocean Coalition, and one individual provided comments.

Your Committee has amended this measure by narrowing the prohibition on county bans or regulation of products containing oxybenzone or other ingredients approved by the FDA to apply only to sunscreens.

As affirmed by the record of votes of the members of your Committee on Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2723, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2723, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Respectfully submitted on
behalf of the members of the
Committee on Energy &
Environmental Protection,



CHRIS LEE, Chair



